ANARCHIA ANGLICANA:
OR THE
HISTORY
OF
Independency.

THE SECOND PART.

BEING
A Continuation of *Relations* and *Observations*
Historical and Politick upon this present
PARLIAMENT,
Begun *Anno* 16. *CAROLI Primi.*

By THEODORUS VERAX.

Psal. 8. 8.
Virum sanguinum & dolosum abominabitur Dominus.

Diodor: Sic: l. 17. p. 517.
Τὰ δὲ τὸν πόλεμον προτερήματα τὰ πλείονα διὰ τυχὴν ἐπιτυγχάνεται· Τὸ δὲ ἐν ταῖς ἐξουσίαις ἔλεος διὰ μόνης τῆς φρονήσεως γίνεται.

Idem l. 18. p. 594.
Philippus dicere solebat, Δημοκόποις τὸν μὲν πόλεμον εἰρήνην ὑπάρχειν τὴν δὲ εἰρήνην πόλεμον.

London, Printed for *R. Royston*, at the *Angel* in
Ivy-Lane. 1661.

Wing - W318+

To the Reader.

READER, *having ſpoken to thee in the* First Part, *I might have forborn thee in this* Second, *did I not fear to ſeem guilty of the ſullenneſs and malignity of theſe times. The Subject-matter of my Book is a Combination or Faction of* Pſeudo-Polititians, *and* Pſeudo-Theologitians, Hereticks *and* Schiſmaticks, *both in Divinity and Policy, who, having ſacrificed to their Fancies, Luſts, Ambition and Avarice, both their God and Religion, their King and Country, our Laws, Liberties and Properties, all duties divine and humane, are grown ſo far in love with their proſperous ſins, as to entitle God himſelf to be the Father and Author of them; from whoſe written Word and revealed will held forth to us in the Scriptures as the only North-pole and Cynoſure of our Actions (where they find no warrant for their doing) they appeal to the ſecret will and Providence of God, to which they moſt Turkiſhly and Heatheniſhly aſcribe all their enormities, only becauſe they ſucceed: and, from that abyſs of Gods providence, draw ſecondary principles of Neceſſity & honeſt intentions, to build the* Babel *of their confuſed Deſigns and Actions upon; not conſidering that wicked men perform the ſecret will of God to their damnation; as good men do the known will of their Father to their ſalvation. If a Man ly ſick to death, and his Son wiſh him dead, this is ſin in the Son, although his deſire concur with the ſecret will of God, becauſe the Son ought to deſire the preſervation of his Fathers life, whereto the*

will of God revealed in his word obligeth him: and vivendum ſecundum Præcepta, non ſecundum Decreta Dei; *The ſecret will & providence of God can be no rule and law of our actions, becauſe we know it not, nor can ſearch into it without preſumption: we muſt not therefore* altum ſapere, *think ourſelves too wiſe and well gifted to tie our ſelves to the Scriptures of God; and luſt after Revelations and Inſpirations; expecting God ſhould rain Bread from heaven for us* (Manna, Exod. 16.4.) *but be wiſe unto ſobriety. But,* proſperum ſcelus, virtus vocatur *Thus caſting off the written word of God (unleſs where by an inforced Interpretation they can ſqueez Atheiſm and Blaſphemy out of it (as they do ſometimes rack Treaſon, Murder, and Non-ſenſe out of our Laws and Parliament-priviledges) conducible to their ends) they inſenſibly caſt off God himſelf, and make themſelves both the ſupreme cauſe and finall end, the* Alpha *and* Omega *of all their doings, whilſt they uſe the Hidden & unſearchable Providence of God but as a Diſguiſe and Viſard to mask under, like* Cælius *the Atheiſt in* Martial. *Proſperity is become a ſnare to them, and a Topick place out of which they draw Arguments to ſatisfie themſelves there is no God, no Religion, but a prudentiall one to fool the People with.*

Nullos eſſe Deos, inane Cœlum,
Affirmat *Cælius*, probatque,
Quod ſe videt, dum negat hæc, beatum.

But O wretched unholied men! What are they that thus commit Burglary in the Sanctum Sanctorum *of Gods Providence? That preſume, not only to pry into, but to thruſt their hands poluted with bloud & rapine into Gods myſterious Ark? Thus much for the ſubject matter. For the manner of my writing, I confeſſe, as to the ſtyle, it is not* æquabile ſcribendi Genus, *all of one weaving and*

con-

contexture : It is a Hiſtory writ with a Satyrick ſtyle and vein : --------Nam quis iniqui,
Tam patiens orbis, tam ferreus ut teneat ſe ?
It is a virtue to hate and proſecute vice. The Scripture tells us, there is a perfect hatred, a holy Anger. *And our* Chaucer *tells us,* The words muſt be of kynn unto the deeds *otherwiſe, how can they be expreſſive enough? I deteſt* vitia pulcherime mangonizata; *vice trick'd up in virtues raiment; and proſtituted under her modeſt dreſs to ſtir up Adulterers.* Quicquid agunt homines noſtri eſt farrago libelli. *A huge Galimaufry, an* Oglio *of all villanies I here ſet before thee: it cannot be all of one dreſſing and ſeaſoning, it muſt be a mixture, a* Hogo *of all Reliſhes; like* Manna *in the Wilderneſs, it muſt be applicable to all Pallates: wherefore acording to the variety of every preſent ſubject-matter,* vel ridenti rideo, vel flenti fleo, *I become all things to all men, I aſſimulate my affections & humors to every Mans humor as well as to the preſent Theam; that I may take every Man by the right hand and lead him out of this* Ur *of the Chaldeans, this Land of* Ægypt, *this houſe of bondage in judgement and conſcience, though not in perſon and eſtate: which muſt only be the mighty handy work of that God who is able to divide the Red Sea, and give us a ſafe-march through it upon dry Land.*

Which that he would vouchſafe to do let us all join our hearty prayers: and that we may inſtrumentally ſerve him in it, let us all join our heads, hearts and hands together ſince God neglects faint-hearted and cowardly prayers: Let us not lie in the ditch and cry, God help us. *But let us help God to help us; and keep* cor unum, viam unam, *in the doing of it.*

Job

Job 8. 13.

SPes Hypocritæ peribit, non ei placebit vecordia sua, & sicut tela Saraneorum fiducia ejus.

Polyb. l. 3. p. 186.

Ἀναγκαιότατα μέρη τῆς ἱστορίας εἰσὶ τὰ τ' ἐπιγινόμενα τοῖς ἔργοις, καὶ τὰ παρεπόμενα, καὶ μάλιστα τὰ περὶ τὰς αἰτίας.

Idem l. 6. p. 458.

Ἐστὶ Πολιτειῶν ἀνακύλωσις, καὶ αὕτη τῆς φύσεως οἰκονομία, καθ' ἣν μεταβάλλει καὶ μεθίσταται καὶ πάλιν εἰς αὐτὰ καταντᾷ τὰ κατὰ τὰς πολιτείας.

Idem l. 11. p. 647.

Πᾶς ὄχλος εὐπαραλόγιστος ὑπάρχει, καὶ πρὸς πᾶν εὐαγωγός· ὅθεν ἀεὶ τὸ παραπλήσιον πάθος συμβαίνει περὶ τε τοὺς ὄχλους, καὶ τὴν θάλατταν.

Thucyd. l. 1. p. 15.

Ἀταλαίπωρος τοῖς πολλοῖς ἡ ζήτησις τῆς ἀληθείας, καὶ ἐπὶ τὰ ἕτοιμα μᾶλλον τρέπονται.

The

The Ordinance passed 20 Aug. 1647. *To null and void all Acts, &c. passed under the force of the Apprentices.*

Die Veneris 20. *August* 1647.

An Ordinance for Declaring all Votes, Orders, and Ordinances passed in one or both Houses, since the force on both Houses, July 26. *until the* 6. *of this present* Aug. 1647. *to be null and void.*

WHereas there was a visible, horrid, insolent, and actual force upon the Houses of Parliament, on Monday 26. *July* last; whereupon the Speakers, and many Members of both Houses of Parliament were forced to absent themselves from the service of the Parliament: and whereas those Members of the House could not return to sit in safety before Friday the 6. of *August*; It is therefore declared by the Lords and Commons in Parliament assembled, that the Ordinance of Monday 26. *July*, for the repealing and making void of the Ordinance of the 23. of the said *July*, for setling of the *Militia* of the City of *London*, being gained by force and violence; and all Votes, Orders, Ordinances passed in either, or both Houses of Parliament, since the said Ordinance of the 26. of *July* to the said 6. of *August*, are null and void, and were so at the making thereof, and are hereby Declared so to be, the Parliament being under a force, and not free: Provided alwaies, and be it Ordered, that no person or persons shall be impeached, or punished for his or their actions, by, or upon, or according to the aforesaid Votes, Orders, or Ordinances, unless he or they shall be found guilty of contriving, acting or abetting the aforesaid visible and actual force; or being present at, or knowing of the said force, did afterwards act upon the Votes so forced, or were guilty of entring into, or promoting the late Engagement for bringing the King to the City upon the Terms and Conditions expressed in His Majesties Letter of the 12. of *May* last.

John Browne
Cler. Parl.

Titus Quintius apud Livium.

Discordia ordinum est venenum hujus urbis, Patrum & plebis certamina: dum nec nobis imperii nec vobis libertatis est modus dum tædet vos Patritiorum nos Plebeiorum, Magistratuum, &c. Proh Deum fidem! quid vobis vultis? Tribunos plebis concupistis, concordiæ causa concessimus: Decemviros desideratis? creari passi sumus; Decemvirorum vos pertæsum est: coegimus abire Magistratu, &c. Tribunos plebis iterum creari voluistis, creastis, Consules facere vestratum partium; patritium quoque Magistratum plebi donum fieri videmus Auxilium Tribunitium, provocationem ad populum, scita plebis injuncta patribus sub titulo equandarum Legum, nostra jura oppressa ferimus: Qui finis erit discordiarum? ecquando unam urbem, ecquando communem hanc patriam habere licebit?

Tullius pro domo sua, & pro Planc:

Non Comitiis judicat semper populus, sed movetur plerunq; gratia, cedit precibus, facit eos à quibus est maxime ambitus: denique si judicat non delectu aliquo aut sapientia ducitur ad judicandum, sed impetu & quadam temeritate; non est consilium in vulgo, non ratio, non disquisitio, non diligentia: sempergue sapientes ea quæ populus fecisset laturus, non semper laudanda duxerunt.

Et pro Muræna.

Nullum fretum, nullus Euripus tot motus tantos, tot varias habet agitationes fluctuum, quantas perturbationes & quantos æstus habet ratio Comitiorum: Dies intermissus unus aut nox interposita sæpe turbat omnia & totam opinionem parva nonnunquam commutat aura rumoris, sæpe etiam sine ulla apparente causa fit aliud atq; nos existimamus: ut nonnunquam ita factum esse etiam populus admiretur, quasi vero non ipse fecerit.

Contzen. pol. l. 1. c. 21.

Roma ann. 400. quibus inter Reges & Cæsares libertatem se habere professa est, in perpetuo certamine ac tumultu vixit.

Tacitus, an. 1.

Discordantis patriæ non aliud remedium esse, quam si ab uno regeretur.

1 Sam. 8. 6.

Restitue nobis regem ut judicet nos.

THE

THE SECOND PART OF *The History of Independency.*

MY First Part of *Relations and Observations Historical and Politick, upon this present Parliament*, begun *Anno Dom* 1640. *Anno Car. primi* 16. is divided into two Parts or Books, [*The Mystery of the two Juntoes, Presbyterian and Independent,*] wherein I shew with what Art (to advance their Designes) the Grandees divided the Houses into the said two Factions; which Factions entertaining the quarrel in earnest, their respective Grandees were forced to turn their jest into earnest too, for upholding their Authority, with their several Parties: not unlike Butchers, who in a Country Market set their Dogs together by the ears in sport, and at last own their Dogs quarrel themselves in earnest. The second Book is [*The History of Independency,*] wherein I shew the *Rise, Growth, and Practises of that Party*; which being full of schismatical Quick-silver, restless and stirring, and tenable by no Oaths, Principles, Promises, Declarations, nor by any Obligations or Laws divine or humane, doth now enjoy the fruits of their Perfidiousness and Treachery, a Conquest gotten over their Adversaries by pretending, protesting, and false promising, which they attribute to the Bounties and Mercies of God: and from the success of their villanies argue most Turkishly his blessings over them; and as Jewishly arrogate to themselves to be the peculiar People and Saints of God, although he useth them but as a Rod in his hand to scourge the sins of the other Party, and of the whole Kingdom. It is the usual method of Gods justice not only to punish one sin

1. The Proeme.

by another, but one Sinner by another; nay a lesser Sinner by a greater: and at last to receive the humble and corrected Sinner into *Abrahams* bosom, and cast the insulting Executioner of his wrath into the fiery furnace of his anger. In my aforesaid [*History of Independency*] you have that Faction conquering: In this *Continuation* or *Supplement* of the said History, I represent them to you triumphing, using and abusing their Victories to the dishonour of God, destruction of the King, beggering and enslaving of the Kingdom, depriving us of our Religion, Laws, Liberties and Estates, and consequently making our Wives and Children the objects of our fear, despair, and ill boding doubts, not the objects of any comfort and joy we can take in them, whose miseries we foresee, but cannot help. When I consider the intricacy of this my undertaking, how perplexed it is, how intangled with various changings, counterchangings, revolutions, revoltings, and betrayings of Parties, (such are all Civil Wars, but especially those where the most uncivil and barbarous sort of men, the dregs and lees of the People swim a top) how full of divisions and subdivisions; insomuch that they who are Friends and hold together in one Interest or Faction, are Opposites in another. Methinks my labour is as vain, as his that attempted to take the Picture of *Proteus*; or his, that endeavoured to shape a Garment for the Moon: When God brought a confusion but of Lips and Tongues upon *Babel*, what man was able to reduce them into order again? But God hath brought upon us a Confusion, a *Babel* not onely of Lips and Tongues, but of Heads, Hearts, Hands, &c. What Historian can find a method in so universal a *Chaos?* can draw light out of so palpable a darkness? Besides, I foresee my reward to be envy, hatred, malice, contempt, slanders, sequestration, beggery, imprisonment, and at last an Arbitrary death without any legal Trial, proceedings, Jury, Judges, or Court, or any known established Law to judge by; *Obsequium amicos veritas odium parit.* I have already followed truth so near at the heels (although but a private retainer to her) that almost all my teeth are secretly stricken out: what dare they not now do openly against me? since by murdering our King; dis-inheriting his Posterity, subverting Monarchical Government, abolishing the House of Lords, and perverting the House

House of Commons, setting up new Representatives, with Supreme and Legislative power, and new Courts and Jurisdictions against all Laws; they proclaim themselvs Conquerors of King, Parliament and Kingdom, Victors of our Religion, Laws, Liberties, and Properties, and Triumphers over our Persons, Wives, Children and Estates? since they profess their will and power to be the only Laws and Rules of their doings, and our sufferings. But when I consider, that as no mans innocency, so no mans reservedness can protect him; but that some men must die (according to *Catiline*'s Rule) to make up the number, others to multiply confiscations, others to satisfie private suspitions, malice and revenge, and many must die to cement and foment this new erected Tyranny with their bloud, I thought it as easie, and more honorable to die waking and working for my God, my King and Country, than to die sleeping, and have my throat cut in a Lethargy. I know these Schismaticks thirst as much after bloud, as they hunger after money: and I am sure to be involved in the common and inevitable ruine of my Country, why should I not rather perish for it now, than with it hereafter? It is more manly, more noble, more Christian; *Dulce & decorum est pro patria mori*, was the saying of an Heathen, why not of a Christian? Religion, Laws, and Liberties lie now at stake; why should not I come in for a Gamester? it is a mixt cause, and he that dies for it is a Martyr. He that fears death must be a Slave to those Tyrants that carry the Sword; he that fears Poverty must be a Villain to those *Judases* that bear the Purse; but he that fears God will borrow strength from him to contemn them both: Thus putting my trust in God, I put Pen to Paper, and my life into the scales, where God (I know) holds the ballance: he whose providence takes notice of a Sparrow falling from the house-top will watch over me, and either protect me against them, or receive me from them.

2. An Introductory Repetition.

Cromwell and *Ireton* (by advice of their thriving *Junto* of Independents in the two Houses) having mutinied the Army against their Masters the Parliament, found that crime could not be defended but by committing greater: wherefore they seized the Kings Person at *Holdenby* to gain Authority with the People; that they might the better subdue the Parliament to their lusts: for

See my I. part of the *History of Independ.* sect. 7, 8, 9, 10, 11, 13, & 14.

Sect. 18, 19. for the better expediting whereof, they courted the City of *London* to sit Neuters, and let them work their wills with the Parliament; which Myne not taking fire, they united the schismatical party of the City and Country to them, and all such as being guilty of publick cheats and spoils, desired the protection of the Sword to make good their rapines, and accounted all men else as Enemies; applying themselves to wooe and cajole the People, easily wrought upon as being weary of the War, and of the mis-government, Factions, confusions and oppressions of their new Masters the Parliament, which indeed were very great, but aggravated by them and their Agitators beyond the truth: and the whole weight of them charged upon the more moderate and innocent party (onely because they were their Opposites) whereas had they set the saddle on the right horse, as sure as *Judas* bore the Bag, the Independents must have rid before the Cloakbag; they being the Publicans and Sinners that handled most publick treasure. The Layers on, Exactors, Treasurers, &c. of Taxes, the far more numerous and busie party in all Mony-Committees, and gainfull Employments, Engrossers of all great Offices, and the greatest Sharers of publick money amongst themselves for Compensations for Losses and Rewards for Services pretended; and consequently, that Faction were the greatest Dilapidators of the Commonwealth, Oppressors of the People, and Authors of confusion, though (according to custom) by an impudent fallacy, called (*Translatio criminis*) the Independent Faction lay their Bastards at other mens doors, making a shew to redress those faults in other men, which themselves are chiefly guilty of: wherefore the better to ingratiate themselves with King and People, they printed and published Ingagements, Declarations, Remonstrances, Manifestoes, Proposals, and Petitions of their own penning, and sent them by their Agitators and sectary Priests into all Counties for concurrence and Subscriptions, the better to steal the respects of the People from the Parliament to themselves, like *Absolom*, they flattered the People to make Addresses and Complaints against publick Grievances to them only; boasting themselvs for the sole Arbitrators of Peace, Restorers of Laws, Liberty, and Property; Setlers of Religion, Maintainers of the Priviledges of Parliament,

Refor-

Reformers and Callers to Account of all Committees, Sequestrators, Treasurers, &c. Deliverers of the People from that intolerable Excise and other Taxes: But above all, Preservers of all just Interests, and Restorers of the King to his just Rights and Prerogatives with *honour*, *freedome*, and *safety* to his Person, (originally their own words, though since they quarrel with Parliament and City for using them) and Reducers of his Queen and Children; without which, they openly profess and declare positively in many printed Papers to the world and the Parliament, there can be no setled peace nor happiness in this Nation. The truth of this Assertion was obvious to the meanest capacities; and will suddenly be proved by dear and lamentable experience. To all these undertakings they now hunt directly counter, yet in pursuance of these undertakings, the Army (by their own Authority) made Addresses to his Majesty, and presented to him more tolerable Proposals than any he could obtain from his Parliament? they treated with him, yea, they wrought upon him under-hand to neglect the Propositions from Parliament tendered to him at *Hampton-Court*, and to prefer the Proposals of the Army; and then (presuming they had him fast lym'd) they propounded to him anew (as I have it from good hands) private proposals from the Interest of the Independent Grandees and the Army, derogatory to the Kingly Power and Dignity, to the Laws, Liberties, and Properties of the Subject, and destructive to Religion. To which his Majesty giving an utter denial, they began to entertain new Designes against the Kings Person, and Kingly Government, which they ushered in by setting the schismatical and Levelling Party on work in City and most Counties, to obtrude upon the Houses clamorous Petitions against further Treaties, and demanding exemplary Justice against the King: exceedingly laboured by *Cromwell*

Book of Declarations of the Army, pag. 112.

Represent. of the Army at S. *Albans*, *June* 23. 1647.

B. Declar. again, p. 64.

Sir *Tho. Fairfax*'s Letter to the Houses from *Redding*, *July* 6. 1647.

B. Declar. again, p. 75.

Proposals of the Army, *Aug* 1. 1647.

Putney Projects, p. 13, 14, 43. and my Animadversions upon the Army's Remonstrance, delivered to the Commons, *Novemb.* 20. 1648.

The Second Part of *England*'s New Chains; and the hunting the Foxes from *New-Market* and *Triplo Heath* to *White-hall* by five small Beagles, p. 6, 7.

See my Animadversions upon the Army's Remonst. *Novemb.* 20. 1648. and *Putney* Projects. p. 43. and Major *Huntington*'s Relation in a Book called, *A Plea for King and Kingdome*, in answer to the Army's Remonst. presented *Novemb.* 20, 1648. pag. 14, 15, 16. and Second Part of *England*'s New Chains; and the said hunting of the Foxes, &c. And the Reasons inducing Major *Robert Huntington* to lay down his Commission.

Cromwell himself in *Yorkeshire* both amongst the Gentry and Soldiers, &c. (amongst these the Petition, *Decemb.* 11. 1648. was the most eminent) these men that insolently petitioned against the fundamental Government of the Land, and Peace by Accommodation, were entertained with Thanks; Others that petitioned for Peace by Accommodation were entertained with frowns, disfranchisings, sequestrations, wounds and death, as the *Surrey* Gentlemen; this shewed with how little reality the over-ruling Party in the Houses Treated with the King. In order to this Design of laying aside the King, and subverting Monarchy, They 1. frighted His Majesty into the *Isle of Wight*. 2. The Parliament (that is, the predominant Party) pursued him thither with offer of a Treaty upon propositions: conditionally (that before he should be admitted to treat) he pass 4 Dethroning Bills; of so high a nature, that he had enslaved the People, subverted Parliaments, and had made himself but the Statue of a King, and no good Christian, had he by his Royal assent passed them into Acts of Parliament; and the Parliament (or rather the Grandees) after his Royal assent, might have made themselves Masters of all the other Propositions without his Consent: so that this Treaty was but a flourish to dazle the eyes of the world. His Majesty therefore denied the 4 said Bils, and thereby preserved the legal Interests of King, Parliament and People; yet the Faction presently took a pretence and occasion thereupon to lay aside the King, by passing 4 Votes for no more Addresses to him; and a Declaration against him: which were not passed without many threats, and more shew of force than stood with the nature of a free Parliament, the Army lying near the Town to back their Party: the design having been laid before hand between Sir *Henry Vane, Junior*, Sir *John Evelyn* of *Wilts*, *Nath. Fiennes*, Solicitor *Saint Johns*, and a select Committee of the Army. I told you before, the People had been throughly instructed formerly by the Army and their Agitators, That *there could be no peace nor happinesse in* England, *without restoring the King to his just Rights and Prerogatives, &c.* notwithstanding which the People now found their hopes that way deluded by the Army and their Party; who had cast off the King upon private discontents, the true grounds whereof did not appear; and

2. part of *England's Chains* discovered. 1. Treaty in the *Isle of Wight*.

1. par. Hist. Ind. sect. 62, 63, 64.

Ibid. sect. 65, 66, 68, 69, 70, 71, 72, 74, 75. And my said Animadvers. p. 10. And the 2. part of *Eng.* new Chains.

2. part of *England's* new Ch. discovered, p. 4, 5.

and had obstructed all ways to Peace and Accommodation, and made them dangerous and destructive to such as travel'd peaceably in them, witness the sad example of the *Surrey-men*, *Kent*, *Essex*; and all to perpetuate their great Places of Power and profit. The minds of the people therefore troubled with apprehension that our old Laws and laudable form of Government should be subverted, and new obtruded by the power of the Sword, suitable to the lusts and interests of these ambitious, covetous men; and finding besides evident Sympomes of a new War approaching to consume that small Remainder, which the last Wars had left, grew so impatient of what they feared for the future, and felt at present (insupportable Taxes, Free-quarter, insolency of Souldiers, Martiall Law, Arbitrary Government by Committees, and by Ordinances of Parliament changed and executed at the will and pleasure of the Grandees, instead of our setled and well approved Laws) that despair thrust them headlong into Arms in *Wales*, *Kent*, *Essex*, *Pontefract*, *&c.* and at the same time a cloud arising in *Ireland*, a storm powred in from *Scotland*, and the *Prince* threatning a tempest from Sea; these concurrences looked so black upon the Independent Grandees; that they gave way to a second mock-Treaty in the *Isle of Wight*; which was the fruit of their cowardise and Subtilty; as appears by Sergeant *Nicholas* (a Creature of theirs) who (upon *Saturday*, *Octob.* 28. 1648.) moved in the House, *That the Lord* Goring *might be proceeded against as a new Delinquent out of mercy*, because he had Cudgelled them into a Treaty; though now they attribute all to the Kings corrupt Party in the two Houses: the Army likewise kept a mock-Fast or day of Humiliation at *Windsor*, to acknowledge their sins, and implore Gods mercy for their former disobedience to the Parliament in not Disbanding, and their insolent Rebellion in Marching up in a Hostile and Triumphant posture against the Parliament and City, *August* 6. 1647. promising more obedience hereafter, and to acquiesce in the judgement of the Parliament, and Declared, *That it was proper for them to act in their own sphere as Souldiers, and leave State affairs to the Parliament*: but this was done but to recover the good opinion of the People and City, and to keep them from stirring, and to stay the mode-

2. Treaty in the *Isle of Wight*.

Declar. *June* 14. 1647.

rate

rate Party of the two Houses from Declaring the Army Enemies, recalling and Voting their Commissions and established Pay void, which they might have done with ruine to the Army and their Party in that Conjuncture of Affairs, and with safety to themselves, and applause of all honest men of *England* that had taken part with the Parliament from the beginning; had not some Grandees of the rigid Presbyterian party (both within and without the Houses) some cursed thing, some *Achans* wedge in their bosomes which suggested, Their sins were greater than could be forgiven; and therefore they durst not cast down the partition wall between them and the King (this Army) though it lean so hard upon them, it is ready to overwhelm them: War is necessary for some men of every Faction, whose crying sins peace will lay open and naked to the scorn, derision, and detestation of the world. How well these sanctimonious Sword-players of the Army have observed the Duties and Undertakings of their said Humiliation, let the world judge: have they not returned again with the Dog to the Vomit? Have they not cozened God, and their own Soules? Sure they fasted from sin then, that they might sin with the more greedy appetite now; and asked God forgiveneſſe of the old score, that they might sin again upon a new score. Thus you see the two Treaties in the *Isle of Wight* were begotten by fear and (that Idoll of the Independents to which they offer up all their knaveries) necessity. They were Cockatrice Eggs laid by the grandees when they had been Crow-trodden by Armies from abroad, and Tumults at home; upon which they sate abrood onely to hatch Scandals and new quarrels against the King, Anarchy and confusion to the State, and Tyranny and oppression of the People: to set up the Olygarchy of the Saints, or Council of State, the Kingdom of the Brambles, wch since doth scratch the wool from off the skin, the skin from off the flesh, and the flesh from off the bones. I have been compelled to use some introductory Repetitions in this part of my discourse, that I may give you the whole mystery of the 2 Treaties with the King in the *Isle of Wight*, with the causes efficient, and final of them, under one view; lest some one link of the chain escaping your observation, it become a Chain of errors to you.

See my first part, Sect. 65, 66, 105, 106, 107. and the conclusions there. Sect. 16, 17, 18

My

My first part of the *History of Independency* ends with that which was but an unlucky preface to a Treaty with the King, namely, *Cromwells* menacing Letters to the Speaker of the House of Commons, dated *August* 20. 1648. relating his easie purchase of a great Victory over Duke *Hamilton*, and Lieut. Gen. *Bayly*; wherein he relates the number of the Scotish Forces, far differing from the former report of Lieut. Col. *Osborne* a Scotish Gentleman, made in the House of Commons, *July* 20. (wherof I have spoken in my first part) who (to take away the terror of them) estimated *Hamiltons* and *Langdales* conjoyned Forces to be but 10000. and it was then thought a note of disaffection to report them any more; but this Letter (for the greater glory of his sanctified Army) multiplies them to be 21000. The manner of the Fight was very strange and Exceedingly to be suspected (especially by any man who hath heard or read of *Bayly*'s former demeanour in his own Countrey at *Kylsythe* and *Auforte Kirke*) It was little better than a beating up of Quarters for 20 miles together (for so far the Scots Army lay scattered in their Quarters, the Horse so far distant from their Foot, they could bring them no seasonable relief) Sir *Marmaduke Langdale* with his small Party drew forth, and made an honourable resistance, had he been timely and strongly seconded: on the Scotish Party the Fight began at *Preston* in *Lancashire*, where the Duke being worsted, retreated to *Wigon*, from thence to *Warrington* thorow Lanes and Fastnesses, where *Bayly*, Lieut. General of the Scotish Foot, being strongly quartered upon a Bridge and Pass, yeelded up 6000 Foot and Arms without fighting, and so ruined his whole Infantry: from *Warrington* the Duke fled with 4000 Horse to *Namptwich*, from thence to *Utoxeter*, where his manner of yeelding himself to Colonel *Wayte* (a Member of the House of Commons) take out of *Waytes* own report in the House, who said, *the Duke yeelded simply, and without any Articles of Surrender; that he voluntarily gave him his Sword, Scarfe, Signet of Arms, and his George; that he hung upon him so that he could not get from him, desiring him to secure him from the rage of the Souldiers; saying, He had not come into* England, *but that he was invited by a greater part of Lords, Commons, Citizens, and Covenanters than called in the last Scotish Army*: presently the Bloud-

3. *Hamilton* overthrown. See my first part 136.

Sect. 110, 111.

hounds of the Faction in the House scented this, and called upon *Wayte* to know whether he named any? *Wayte* Answered, that *Hamilton was a subtile, politick Lord, and no doubt (for the saving of his own life) would do that in more convenient time.* Hereupon a Committee (all of Canibal Saints) was presently packed, and ordered to go down and examine the Duke, but no particulars could they get from him: which was an honorable silence, and made amends for his former lavish speech. It was happy the *Prince* did not trust himself in the Head of this Army. Had *Hamilton* marched immediately to *Colchester*, or but to *Pontefract*, (which he might easily have done, *Lambert* his onely Opposite still retreating before him) the whole Country had risen with him. But he knew the Presbyterian party had rendred themselvs contemptible, and he as much contemned the Independents, therefore he foreslowed his march, willing *Cromwell* and *Fairfax* should subdue all other Parties, and that he onely might have Arms in his hands to bring in the King upon his own terms; this over-confidence undid him: He was too much a States-man, and too little a Souldier.

4. The insolency of the schismatical Members upon report of the Victory.

This Victory did work like botled-Ale with *Scot*, *Thomson*, *Cornelius Holland*, Sr. *Henry Mildmay*, and many others of the light headed Saints, who were so puffed up with the windenesse of it, that they began to swell with disdain and malice against the Personall Treaty, and to threaten and insult over all that had either petitioned for it from abroad, or spoke for it in the House, as the only means of peace and a settlement.

5. The wiser sort subtilly continue a mock-Treaty.

But the wiser sort (more crafty to do mischief) knowing that the people were weary of Taxes and the Army; and had no hopes of peace but by a Personal Treaty; and were resolv'd to purchase peace, although at the price of a new War, that *Colchester*, *Pontefract*, *Scarborough*, and a Castle or two in *Kent* were not yet reduced, the people in *Wales*, *Kent*, *Essex*, the *North*, not yet setled in such a calm but that a new storm might arise: a considerable party of the *Scots* yet unbroken in *England*, and fronting *Cromwell* and *Lambert*, under the Command of *Monroe*, a daring, knowing, and uncorrupted Commander; *Scotland* it self not yet assured to them: and above all, the *Prince of Wales* with a strong Fleet at Sea, likely to raise new tempests at Land,

had

had he landed ſome men in *Kent* or *Eſſex*, to gather up the male-contents there but newly ſcattered and broken, and ready to adhere to any Party to defend themſelvs from the fury and rapines of their Committee; *Warwicke* but a freſh water Admiral, lying in the *Thames* under protection of the Block-houſes, and relying upon Land-ſouldiers to awe the Mariners from mutinying; a cloud ariſing in *Ireland* ready to break into a ſtorm: upon theſe conſiderations, the Cabal or cloſe Junto of Grandees thought fit to dally on the Treaty, the better to keep the Prince quiet, in expectation thereof, and gain time to work upon his Seamen, (already corrupted for want of work and pay) and to gull and pacifie the reſt of the Members and People (not patient of a harper remedy, (untill *Oliver* had quite finiſhed his Northern work, and marched nearer *London*; *Colebeſter* reduced and the *Princes Fleet* retired to Harbour to avoid Winter, and then to break off the Treaty, and purge the Houſe of thoſe Members that ſought peace by an accord with the *King*, under the notion of *the Kings corrupt Party*; to blind their eyes therefore, the Speaker *Lenthall* (though at this time the Foreman of *Olivers* ſhop) when it was debated in the Houſe, *Whether a Treaty ſhould be had with the King in the Iſle of* Wight *upon the Propoſitions of Hampton-Court*? The Queſtion much oppoſed, and at laſt put, the *Noes* and the *Yeas* were equall, 57. to 57. inſomuch that the Speakers voice was put in to turn the Scales; he gave his voice in the *affirmative*, that time following his conſcience againſt his Intereſt, and my Lord *Say* (openly in the Houſe of Lords) ſaid, *God forbid that any man ſhould take advantage of this Victory to break off the Treaty:* and the *Armies Scout*, from Tueſday *Novemb.* 14. to *Novemb.* 21. 1648. propounds three Riddles to the Reader, 1. *Why the Grandees of the Junto that uſe to rule the Army are the moſt active Solicitors for an Agreement of the Parliament with His Majeſty when then the Army are acting to the contrary?* 2. *Why His Majeſty ſtumbles onely at the matters wherein the Presbyterian Intereſt is concerned, when that Faction is the onely viſible Prop to His Life, Crown, Dignity, and dying Intereſt?* 3. *Why the Souldiers Petitions for Juſtice upon his Majeſty were ill reſented, and they thought worthy to be tried by a Councill of War, as Offendors, yet a Remonſtrance was then framing by the Grandee-Officers to the*

same purpose, and much more against the present Authority? and in this the General concurs.

6. New Instructions to *Hammond* in order to the Treaty, sect. 132.

The next thing taken into consideration in relation to the Treaty, was, the giving new instructions to *Hammond* the Head-Goaler, how to demean himself in the Treaty, which had formerly been voted to be in the *Isle of Wight*, with *Honour, freedome, and safety to his Majesty*: The instructions were; 1. *That the King should enjoy the same liberty during this Treaty that He had at* Hampton-Court. 2. *That no person excepted out of mercy, none now imprisoned by the Parliament, nor none now in actual Armes against the Parliament, should be admitted to come to the King.* 3. *That no forreign Agent should make any Address to him without leave of both Houses.* Against these Instructions it was argued, *That some of them contradicted the former Votes, That the King should Treat in Honour and Freedome, and that he should enjoy the same liberty he had at* Hampton-Court, *which could not be so long as He was denied to correspond with other Princes his Allyes (with whom He was in League and Amity) by their Ambassadors and Agents, a Royalty inseparable from the Crown, allowed Him at* Hampton-Court, *and to deny it was implicitely to dethrone Him.* To which was answered, *That this was true of a King in actual exercise of his Regal Power, which this King neither is, nor ought to be until He hath given satisfaction to His Parliament: That it was a great condescention in them, and below the Dignity of a Parliament, to recall their Votes of Non-address, and put the business of the Treaty thus forward; and if He would not accept of a Treaty upon such conditions as the Parliament thought fit, then things would be but where they were.* The peaceable moderate Party, perceiving what operation the Scotish Victory had already upon the fancies of those hot-headed men, knew they must speak mannerly and modestly for fear of correction, and must take what they could, since they could not have what they would. 4. *That the King should give His Royal word not to remove out of the Island during the Treaty, nor in 20 daies after, without consent of the two Houses?* this was to make his chains a link or two longer, yet the King did give His Royal word accordingly.

7. The Earl of *Warwick*'s Letter to *Derby-house*, complaining of his Sea-men.

Thursday, *Aug.*24. a Letter came to the Committee of Safety at *Derby-House* from the Earl of *Warwick*, complaining of the perverseness

perverſeneſs of his own Sea-men: and that thoſe with the *Prince* would not yet ſtoop to the Gods of Gold, (his own words) *That ſome other way muſt be thought of beſides force, to undermine the Prince, that ſince they had ſubdued their Enemies by Land, it would be a good preparative to work upon their Enemies by Sea with the ſame Engine.* You ſee theſe Saints having gotten a publique purſe into their hands, are (at the Peoples coſt and charges) bountifull corrupters of other mens faith having none of their own.

8. A Committee to make effectual the Sale of Biſhops Lands, and cajole the City.

About this time a new kind of pick-lock was invented to open the iron Cheſts and Counter-boards of the City, and invite them to throw more money after that they had caſt away already in purchaſe of Biſhops Lands; namely, *a Committee to conſider of a way to ſecure unto the Purchaſers the Money they had already diſburſed upon the ſaid Lands; and to remove all impediments in the Sale for time to come.* To which Col. *Harvy* ſaid, *That he had experience in the late defection of the City, when the men moſt backwards in the Parliaments ſervice, were ſuch of the Presbyterians as had no engagement upon Biſhops Lands; whereas others of the ſame party that have intereſt in the ſame Lands, are as forward as any the beſt affected.* Here you ſee what it is that chains the affections of the City to this Parliament, and what it is that divides them amongſt themſelves; ſelf-reſpects makes them run along blind-fold with the Grandees in any deſign or faction. A good bargain makes a bad man; *Harvey* needs no other preſident but himſelf, nor no more viſible monument than his exceeding cheap bargain of *Fulham-houſe* and *Manor*: which changed him from a furious *Presbyter* to a Bedlam *Independent.*

9. A Commiſſion into the North to enquire what damages they have ſuſtained by the Scotiſh Invaſion.

About this time it was Ordered, *That Commiſſions ſhould be iſſued forth into the Northern Counties, to enquire what Damages they have any waies ſuſtained by* Hamilton's *Invaſion?* This device was of a twofold uſe. 1. *To cut off the Scots demands for money due to them for their laſt Brotherly aſſiſtance, and otherwiſe.* 2. *To cajole the poor Countrey into a belief they ſhall have reparations againſt the Scots, and raiſe them into a clamorous complaint againſt the Scots; and at laſt a deadly feud when they ſhall finde their hopes denied by them and diſappointed.* In the mean time they are patiently eaten up with Taxes and Free-quarter, and while they look for what they

they shall never have, they lose what they have already; This was the much applauded invention of Master *St. Johns* of *Lincolns Inne.*

10. *Colchester* surrendred, with the sequel thereof.

About this time the newes of the Surrender of *Colchester* inflamed the Antimonarchical Faction from a Feaver to a frantick Calenture. They yielded to mercy, and within 4 hours after Sr. *Charles Lucas*, and Sir *George Lisle* (for the better explanation what Independent mercy is) were *shot to death*; some attribute it to an *old quarrell* between him and General *Fairfax*, others think it was done to put an *affront* upon the King and the Treaty: Colonel *Farre* was likewise condemned by the Council of Warre at the same time, but is reprieved as a witnesse against the Earl of *Warwick*, when time serves, for when *Warwicke* long since waited at the Commons Door with some Ladies to petition for a Reprieve for the Earl of *Holland*, a Souldier of the Guard insolently told him, *He had more need to petition for himself.*

11. Instructions for the Commissioners to treat with his Majesty.

Instructions for the Commissioners to Treat with the King were Debated. The Independents propounded, *that those Propositions that were most advantagious to the Parliament should be first debated, and if the King did not confirm them all, the Treaty to break off:* But it was held unreasonable in any Treaty, *that one Party should bind himself before the Conclusion, and leave the other at large, and himself in the lurch*; so it was Ordered, *They should be Treated of in order as they lay, and (according to his Majesties desire) nothing binding to either Party untill all was agreed of.* The next stumbling block cast in the way was, *that seeing 40 daies onely were allowed for to Treat, that they should limit how many days (and no more) should be spent in Treating upon every severall proposition:* But this was looked upon as a cavil to make void the Treaty, and so over-ruled; you see what use these men that gain by War make of their Victories.

12. A Debate what Gentl. should be allowed to attend his Majesty in the Treaty.

The next thing debated was, *the list of such Gentlemen as were named to attend the King in this Treaty:* The moderate Party excepted against *Ashburnham* (a great man with *Cromwell*) and *Legge*, as being prisoner to the Parliament: The Independents excepted Dr. *Sheldon*, *Hammond*, and *Oldsworth*, for the same reason; but the next day the Speaker moved, that *Legge* and *Ashburnham*

burnham might go to the King: and to satisfie such as had objected their Imprisonment against them, the Independents alleaged they were unduly imprisoned, and moved, a Committee might be appointed to examine the cause of their Restraint: but the moderate alleaging the same reason for the said three *Doctors* and making the same motion for them, there was no farther proceedings therein.

13. Master *Pryn's* Speech in the House; proving the Kings concessions to be a ground for a settlement.

Thus far I have briefly set down the Preparations towards a Treaty; the Treaty it self between the King in the *Isle of Wight*, and the Parliaments Commissioners; their Reports of the Results to the Houses; and the Houses Debates and Votes upon them took up almost all the time untill the 6. *December*, 1648 (some few businesses of no great moment intervening) many imperfect and partial Relations of them have been printed *cum Privilegio*; but Mr. *Will. Pryn* in his excellent Speech made in the House of Commons, 4. *Decemb.* 1648. and since printed, hath set down all the most material Arguments on both sides, with great candor and ingenuity, and hath confuted the Ememies to Peace and Accomodation: if strength of Reason can confute those men that follow only their own Interests of power and profit, whose wills and lusts have alwayes been their own Lawes, and are now become the onely Laws of this Conquered Kingdome: I love not *altum agere*, I referre my Reader therefore to his Speech, and will only trouble him with some Observations upon this Treaty.

14. The *Militia* and Negative Voice. sect. 62, 63, 64, 106. and the Conclusions. 15, 16, 17.

I have said something of the *Militia* and the Kings *Negative Voice*, in the 1. part of this History, especially in the *Conclusions* at the later end; I will only say that without them the King cannot be a Governing King, but a bare titular King, a picture, a shadow, because the protection of the people depends upon the power of the Sword; he cannot protect them and their Lawes with the Scabbard; the Authority of the Scepter follows the power of the Sword: wherefore to give away one, is to lose both; nor can the Subjects be any longer his Majesties Subjects, but Slaves to their fellow Subjects, when so many petty Kings (not authorized by any Law of God or Man to protect the People) shall hold the Sword over their Heads, and distract them with different Opinions, disagree in Commands, according to the

the variety of their ſeveral luſts, factions, and intereſts: how can the King according to his Coronation Oath and duty (to which God hath called him) govern and protect his People, when he hath given away his Sword to a factious Parliament where one Party tyrannizeth over the other, and threatens the other with the longeſt Sword? how abſurd and impoſſible it is for the Subject to expect protection from one hand, and to ſwear and pay Allegiance to another hand, that hath diveſted it ſelf of all power to protect them; let our Laws, the practice of all Nations and times, and the judgement of the learneſt Polititians tell you, whoſe Maxime is, *Illa optima eſt Reſpublica ubi Princeps quàm maximum poteſt boni, & quàm minimum mali; Primo ne nova Tributo indicere, nova vectigalia conſtituere poſſit, inconſulta Republica: Deinde legum condendarum anti quandarumque panes Rempublicam, non unum aliquem Magiſtratum eſſe debet poteſtas; nulla enim in re gravius peccatum admittitur, nuſquam graviores turbæ minantur quàm hiſce de rebus*; That is the beſt form of Government, where the King can do moſt good, and leaſt evil: 1. Let Him be diſabled to raiſe new Taxes, and lay on new Tribute: 2. Let Him not have the ſole power to make or repeal Laws, which ought to belong to the Common-wealth; not any one Magiſtrate; for no power is more hurtfull to the people, nor ſtirs more Commotions than theſe two: ſuch is the Kingdome of *England*; the King hath neither the Power of our Purſes, nor the changing of our Laws in His hands, and if he give away his Sword, he will be ſuch a King of clout; as can do neither good nor evil, like *Rex Sacrificulis* at *Rome*, *ea ſumma poteſtas dicitur, qua ſecundum Leges non eſt major neque par*; ſuch was the Dictator at *Rome*, he had no equal there, *Papyr: curſor dictator*, adjudged to death his General of the Horſe *Fabius*, for fighting againſt his command though proſperouſly, and rejected all appeal to the Senate and Tribunes of the People; yeelding at laſt onely to their prayers, with this ſaying, *Vicit tandem imperii majeſtas*: ſuch is the King of *England*, the Common-wealth cannot compel Him to grant a Pardon, or diſpenſe juſtice or mercy as they pleaſe; the Oath of Supremacy calls Him *Supreme Governour in all Cauſes, over all Perſons*, ſo do all our Statutes, to whom in Parliament (which is the higheſt ſphere of Majeſty) is the

1. part, ſect. 40, 41, 42.

the laſt appeal by Writ of Error, who is, *Principium caput & finis Parliamenti*, the beginning, head and end of the Parliament; and therefore he only calls the Parliament, to adviſe with him, and diſſolves it when he is ſatisfied; He makes War and Peace, and is Protector of the Laws, and of all juſt intereſt; only the policy of the Law diſables him to make, repeal, or alter Laws, or raiſe Monies without conſent of both Houſes by Bill paſſed; (which is but an *Embrio* untill he quickens it by his Royal Aſſent) becauſe this way the King may do moſt hurt, and wrong to his people (as I have already ſaid) it being the wiſdome of our Laws to keep the Sword in one hand, and the Purſe in another.

See the firſt Part of this Hiſtory *Prolegomena*, 1.

15. The 1. Propoſition for juſtifying the Parliaments, and condemning His own quarrel.

The 1. proemial Propoſition for juſtifying the *Parliaments Cauſe and Quarel*, and *condemning his own Cauſe and Party*, was a bitter Pill; but an earneſt deſire of peace ſweetned it, and guildedover, and invited him to ſwallow it without chawing or ruminating upon it; but how deviliſh, unchriſtian, and illegal a uſe the Faction hath made of this extorted confeſſion, let God judge.

16. The Covenant endeavoured to be put upon the King.

Their inſiſting upon it, That *the King ſhould take the Covenant*, was an errour in Policy, whereof the rigid Presbyterians are guilty; they (ſuppoſing the King would take it at laſt) ſtood upon it, and intended thereby to joyn the King to their Intereſt and Party. The more ſubtile Independent knew the King would not, nor could not take it; and therefore complied with the Presbyterians in obtruding it upon him, to break off the Treaty; many things in the Covenant were vain in the Perſon of His Majeſty, as, *That he ſhould ſwear to maintain his own Perſon, &c.* which the Law of nature bindes him to without an Oath, which in this caſe is idle, and a prophaning of Gods name; ſome things in the Oath were contradictory to what the Parliaments Propoſitions deſired of him, as, *to maintain His own Authority in defence of Religion, Laws, and Liberties*, which was impoſſible for Him to do unleſs he kept the *Militia* in his own hands, and his *Negative Voyce* alſo, which that clauſe in the Bill of *Militia*, *That all Bills for leavying Forces ſhould have the power of Acts of Parliament, without the Royal Aſſent, &c.* would have deprived him of, by making their Ordinances Acts of Parliament in effect,

binding to the Persons and Estates of the People in an Arbitrary way, to their utter enslaving: *To swear to Aboliſh Biſhops, &c.* was againſt his Coronation-Oath, *To ſwear to extirpate Hereſies, Schiſmes, &c.* is more than the Independents would permit; *To ſwear to maintain the Union between the two Nations*, which the Parliament declare already to be *broken by the Scots Invaſion*, is vain: beſides, how unjuſt a thing was it to impoſe that Oath upon the King, when moſt Members of the Parliament, Army, and others, are left at large not to take it? The Parliaments Demands, *That the King ſhould declare againſt the Marqueſs of* Ormond's *proceedings to unite all the Intereſts of* Ireland *for the ſervice of his Majeſty*, was no part of the Propoſitions upon which the Treaty was begun, but a ſubſequent requeſt upon an emergent occaſion; and therefore I ſee no reaſon why the King ſhould have given any anſwer to it, but only have held himſelf to the original Propoſitions, yet he did Anſwer, *That the whole buſineſs of* Ireland *was included in the Treaty, and therefore a happy Agreement thereupon would ſet an end to all differences there*, which being voted *unſatisfactory*, and moved that a *new Declaration might be publiſhed againſt him*; the King was inforced to put a ſtand to the Marqueſſes proceedings by his Letter, to his great prejudice; yet theſe Declarers againſt him do now comply with *Owen Roe Oneal*, and have entertained *O Realy*, the Popes Iriſh-Vicar-general in *England*, to negotiate for the Iriſh maſſacring Rebels with the Parliament: Theſe things conſidered, prove what I finde in our late King *Charles* the 1. moſt excellent Book, Chap. 18. *That it is a Maxime to thoſe that are Enemies of peace, to ask ſomething which in Reaſon and Honour muſt be denied, that they might have ſome colour to refuſe all the reſt that is granted.* More obſervations upon this unlucky Treaty I will not trouble my Reader with, theſe being enough to ſhew the vanity of thoſe Propoſitions; by theſe he may take a ſcantling of the reſt *ex pede Herculem.* I cannot but blame the indiſcretion, if not the indiſpoſition of thoſe Commiſſioners who cavilled away ſo much time in the Treaty, untill *Cromwell* had done his work in the North, and marched up to Town to make the Treaty ineffectual.

17. *Jones* complains by Letters that *Ireland* was like to be loſt.

About the latter end of *Octob.* 1648. Col. *Jones* ſent whining Letters

Letters from *Dublin* to the Steerſmen at *Derby*-houſe, complaining that *all* Ireland *was like to unite and proſecute the Kings Intereſt*, and therefore he cried *for help*; but neither the ſaid Committee, in their conſultations, nor the Army in execution of what was reſolved, could agree amongſt themſelves: the Engroſſers and Monoplizers of Oligarchy into a few hands, deſiring to make themſelves a Corporation of Tyrants, ſuſpect an oppoſition from the Levellers, and would fain turn them out of the Kingdome, into *Ireland*, to ſeek their fortunes, and practice their Levelling principles in a ſtrange Land: The Levellers (more numerous in the Army, though leſs numerous in the ſaid Committee) ſtrain courteſie with their Betters, and would have them go firſt, thinking the ſeeds of liberty and equality will proſper better in the ſoyl and air of *England*; While they were diſputing, if Marqueſs *Ormond* had been acting (as he had been, had not the King been neceſſitated to retard him, by his ſaid Letters, ſent from the *Iſle of Wight* during the Treaty) the King had recovered that Kingdome intirely to himſelf, which had been of great advantage to him.

The 20. *Novem.* 1648. Col. *Ewers* with ſeven or eight Officers more, preſented at the Houſe of Commons Bar a thing called (by thoſe that uſe to miſcall things) *An humble Remonſtrance of the Army*: It is founded upon theſe five Anarchical Principles. 1. *That themſelves and their faction only* (whom they call excluſively, the Well-affected, Godly Honeſt Party, the Saints) *are the People of England*, all the reſt but Philiſtines, Amorites, or (at the beſt) but Gibeonites. 2. *That their Intereſt only is the publick Intereſt of the People.* 3. *That the People* (that is themſelves) *are the only competent Judges of the Peoples ſafety* (contrary to the Laws and practice of all Nations, which beſtow that Prerogative only upon the Supreme Magiſtrate) but it may be here lies hid another ſubſequent principle, *That they are the Supreme Magiſtrates, armed with Supreme Authority, as well as with their Swords*, and hereupon, they as good as tell the Houſe, *That if their ſuppoſed dangers be not removed, and thoſe remedies which they Remonſtrate admitted, they ſhall make ſuch appeal to God* (that is, their Sword) *as formerly they have done.* 4. Principle is conſequential to the 3. *That they may drive on their deſin* (upon pretence

of neceſſity, ſelf-preſervation, honeſt intentions, Providence, or Revelation) *againſt all Powers, Forms, of Government, and Laws whatſoever,* under colour of the much abuſed Maxime, *Salus Populi Supremæ Lex eſto*, the ſafety of the People is the Supreme Law; which hath been the fruitful Mother of many Rebellions in all Ages, to ſerve the corrupt ends of ambitious Perſons; who uſually fiſh in troubled waters to attain to thoſe ends which they could never arrive at in ſetled Governments. This is a Principle, or new light diſcovered by Major *Huntington*, *That it is lawful to paſs through any forms of Government, for accompliſhment of their ends, and therefore either to purge the Houſes, and ſupport the remaining Party by power everlaſtingly, or put a period to them by force*; and themſelves imply as much in this Remonſtance, p. 45. ſaying, *It cannot be ſafe to accommodate with the King, becauſe if he return, and this Parliament continue long and unlimited, He will make a Party amongſt them; He hath bid fair for it among the Commons already, and the Lords are his own out of Queſtion; and therefore we dare not truſt the King amongſt them.* Again they ſay, *That if the King come into the Parliament, He will be looked upon as the Repairer of Breaches, Reſtorer of Trade, Peace, Plenty, &c. And if the Army ſhould keep up (as it muſt) upon Taxes, the Houſes and Army will be looked upon as Oppreſſors; and the jealouſies and diſcontents of the People be increaſed againſt them, and make them apt to to joyn iſſue with the Kings intereſt, and may yeild us up a ſacrifice to appeaſe the King and his Party*; out of theſe words, and their own practice, I concluded for them, *ergo*, They may carry on their deſign upon neceſſity for ſelf-preſervation againſt the Monarchical Government, and Law of the Land, to *murder the KING*, as they have ſince done. Again they ſay, *If the King were returned, each Party would ſtrive firſt, and moſt to comply with Him, ergo*, there is a neceſſity to ſubvert the Kingdome and *murder the KING*. Behold what uſe theſe cowardly Saints make of neceſſity, and ſelf-preſervation. 5. *That they may appeal to their Sword againſt the Authority of any their Governours, in order to publick ſafety*; which two laſt concluſions ſet the door wide open to Faction and Rebellion; ſince the People are ever floating and given to change, and every turbulent ambitious Fellow, is apt to raiſe them into a ſtorm againſt their Governours, for their

their fabulous assertions wherewith these Saints usually guild over their foul actions, 1. *That the Houses were free when they passed the four Votes for Non-addresses.* 2. *That they were not free when they recalled them.* 3. *That the People were quiet and contented until the recalling of those four Votes; and afterwards were unsetled, and presented clamorous Petitions.* 4. *That the Army did not apply themselves to the King until he proffered himself to them.* 5. *That when they made Addresses to Him, it was but to prevent the Presbyterian Party.* But it appears, their aim (from the beginning) was to suppress the Presbyterian, and advance their own Party, and lay by the King, and domineer over him and the Kingdome; for when *Cromwell* had brought his Design to perfection he said at *Kingston, That he was as fit to rule the Kingdome as Hollis* 6. And then but hypocritically. All these are sufficiently confuted in my said *Animadversions*, and in the said Plea, for the King and Kingdome, in *Putny Projects*, and in my *First part of the History of Independency*. After all this tedious stuffe aforesaid, they make Propositions to the Parliament of two sorts, all founded upon the said five Antimonarchical Principles; The first for *satisfying publick Justice* (that is, for the Hangman to teach the Judges who they shall sentence to execution) 1. They demand, *the Person of the King may be brought to speedy Justice*; this affront they put upon the Parliament when they were neer conclusion of their Treaty with Him: when He had already granted more to his Subjects than ever any King condescended to: is this through the sides of the King to give Monarchy, the fundamental Government, and Laws of this Land, and consequently the liberty and property of the People, their Deaths-wound: By the Law of God, nature, reason, and the Laws of all Kingdomes impunity is an inseparable Prerogative of Kings, as they are Supreme in their Dominions; the *Petition of Right*, 3. *Caroli*, Declares, *That they had no power to hurt the Kings Prerogative*, much less (I think) to hurt his Person; the Laws are the Kings Laws; Courts the Kings Courts; Judges his Judges; Great Seal, his Seal; Writs, the Kings Writs;

Sect. 65. 66, 68, 69, 70, 71, 72, 73, 74, 75, 88, 89, 97, 98.

The Kings Supremacy; and from thence his indempnity proved.

See the Oaths of Allegiance, Supremacy: Stat. of Recognition.

1 *Jac. Cokes* Institut. 5. 1.

Stamford's Pleas of the Crown, l. 1. ch. 1. 2, Stat. 25. *Edw.* 3. 42. *E.* 3. Read Mr. *Pryns Memento* to the Un-parliamentary Juncto, his Speech in the House of Commons, 4. *Dec.* p. 72, 73, 74, 75, 76, 77. and my 1. Part, sect. 106. The Conclusions, Sect. 17. and my Animadversions. p. 18.

the

the Justice and Peace of the Land are his, consequently the Wars his Wars, he is the fountain of all Authority as well as of all Honour, *Thou shalt not speak ill of the Governour of the People*; therefore not accuse him. The King hath no Superior nor equal in *England*, contrary to that false distinction of the *Observator*, that he is, *Major singulis, minor universis.* When *David* would have gone forth to Battel, his Army disswaded it, using these reasons, *If we flee, they will not care for us, neither if half of us dye, will they care for us: But thou art worth ten thousand of us.* Here you see the King is reckoned, *major universis*, more than all his Army; and yet that Army was (at that time) in effect, all the well-affected of the Land; and therefore (by the Anarchical Principle aforesaid) the only people of Land; for further proof hereof I appeal to all our Laws and Statutes, how will they Try him? Who shall Judge him? Who are his Peers, that he may be Legally Tried like a Free-born man (for sure they cannot deny him that right) according to *Magna Charta, per legale judicium parium suorum?* It is a grounded Maxime in our Laws, *The King can do no wrong*; wherefore then will they Try him, for doing no wrong? The policy and civility therefore of our Laws (and of our Parliament too, in all their Declarations, Remonstrances, so long as they continued in any state or degree of innocency) alwayes accused his Evil Counsellours and Ministers, and freed Himself, lest they gave advantages to ambitious men, *Absalom*-like, to scandalize and dishonor him, and render him low and vile in the eyes of the people; to the disturbance of the peace of the King and Kingdomes, and shaking of the Royal Throne which is alwayes accompanied with an Earthquake of the whole Land. St. *Peter* bids us, *Submit to every Ordinance of man for the Lords sake, whether it be to the King as Supreme, or unto Governours as those that are sent by him.* If a people chuse a King, it is the Act of every particular man, of whom the Commonalty consists; and each individual, not the whole Commonalty can give him more power than himself hath. But no man hath power over his own life, neither arbitrarily, nor judicially; but only over his liberty, which he may so give away, as to make himself a subject, or a slave, this makes him so chosen a Ruler, or Protector of them, who have parted with their liberty, and subjected to him; and then God (who only hath power of life and death, invests the King with power to be the Minister of God, to execute vengeance, not bearing the Sword in vain, *Rom.* 13. See Dr. *Hammonds* Letter to the L. *Fairfax*, Jan. 5. 1648.

1 Pet. 2. 13. Here the King is called *Supreme*, not *the People*; and though said to be an ordinance of man in some respects, yet St. *Paul*, *Rom.* 13, saith, He is ordain'd of God; 2 Governours are distinguished. The King is supreme, and Governors are sent by him, and his Commission. Besides, it appears, *Gen.* 3. 16. and 4. 7. God gave not to all men that freedom which is supposed the foundation of Supremacy, in the people; He made them not Masters of their own liberty, for even then he laid the foundations of obedience in *Abel* to *Cain*, *Eve* to *Adam*.

as free, and not using your liberty for a cloak of maliciousness, but *Fear God, Honour the King*: But these rebellious Saints abusing Christian liberty for a cloak of maliciousness, will (according to their 4. Antimonarchical Principle) make the giddy, ignorant, tumultuous, many-headed multitude Judges of their King, and make the confused Rabble his Superiours, thereby setting up two Superiours one contradictory to the other, and so turn the Kingly Government into a popular Military Government, abolish our Laws, and leave all to the power of the Sword in an Arbitrary way, to carry on their design; to which purpose they have lately caused their Journey-men, the present House of Commons to vote (contrary to our known Laws) *That the Supreme Authority of this Nation is in the People of* England, and therefore in themselves as their Representative. This is a 6. Anarchical priciple of the Army and their Party, who wanting reason to prove it, assert it by the Authority of their Mock-parliament, and must now make it good by the Sword to justifie their proceedings against the King and people. These popular principles are meer empty notions, whereby the Grandees draw the Supreme Authority thorow the people to themselves, the better to enslave them; for the liberty of the Commons doth not consist in a licentiousness to interrupt the Government of their Superiors, and change the Government according to their fancies; but the liberty of the people consists in the enjoying the fruits of their labours, their goods, possessions, estates, and their personal liberty, according to the known Laws of the Land. When *Harry Martyn* in *Bark-shire* forbad the people *to stand bare at the Sessions, and do homage and fealty to their Lords*; he gulled them, and gave them that which was not their due, to rob them of that which was their due; their Horses, Goods, Mony, plundred from them, for service of the State, (forsooth) and beat them that defended their own; so that while he flattered them to be the Supreme Authority and Lords Paramount, and the Parliament to be their servants; he used them like slaves conquered by the Parliament. Besides, it is not all the people, nor the thousandth part of them, but a few covetous, ambitious men, that desire to bring the King to capital punishment, and subvert our fundamental Government and Laws, that have usurped the

power

power of the Kingdome into the hands of their Faction, and now require this to keep themselves from being called to account. The second Demand tends to disinherit his Posterity, viz. *That the Prince and Duke of* York *come in by a day appointed, and acquit themselves of their capital Delinquency, or else to be Declared incapable of Government, and to dye without mercy, if afterwards found in the Kingdome*; this Summons is but to insinuate their guilt; if they refuse to appear, as reason tells us they must and will. This is to shut the door after Monarchy, and keep it out for ever; in farther pursuance, they demand *the Revenue of the Crown* to continue still in Huckſters hands to pay *publick Debts*, and repair the Losses of the People (that is) themselves The second sort of Propositions are, for setling of the Kingdom upon their own Grounds and Interest, *That a certain period be set to this Parliament, by which time the Supreme trust in them may return unto the People*: that is, still to themselves and their Faction, the new erected Committee of State, the *Hogen Mogens* at *White-hall*. Thus you see having removed out of the way the King, the first and most visible legal Authority; they will now put down the Parliament, the second visible Authority of *England*, who are now the onely Bulwark against the Tyranny of the Sword, and then (as Major *White* said at *Putney* long since) there will be no visible Authority left in *England* but the power of the Sword, which will introduce a new Parliament, or rather fantastical new invented Representative (destructive to Parliaments) all of their own Creatures; as appears by their next Proposition, concerning succession of Parliaments. 2. *That none shall be capable of Electing, or being Elected, that have engaged against the publick Interest*, (that is, the Interest of them and their party, as appears by their 5. Anarchical principles in the beginning of this Paragraph) *nor any that oppose this Agreement*; By what Authority (but the arbitrary sway of the Sword) shal Freemen be disfranchised, & lose their Birth-rights for not changing the fundamentals of Parliaments, Government, and Law, and

This is so explained by the *Moderate* (one of the ruling Penmen of the Faction who hath a large share in the 500. or 600. a year allowed to these Pamphletires, for divulging State-lies and Slanders amongst the People) who from *Novem* 14. to *Novem.* 21. 1648. (Num. 19.) defineth the People of *England* to be onely such as have not engaged for the King; and such as shall sign to the Agreement of the People, which is to be above Law, and all the rest are to be Disfranchised.

yeilding

yielding them up to the lusts of an Army of Rebels, that brag they have Conquered the Kingdom, and we are their Slaves? 3. *That Elections may be so distributed, as to render the House of Commons a Representative of the whole People*, (that is, tag and rag, and canting Beggers, who have nothing to give or lose, as well as Free-holders) so farewell Writs of Summons, and all orderly, legal forms; if all men, without any distinction, may Elect, and be Elected, all will fall into confusion; the Rabble will never agree, all things will tend to Riots and Tumults; so that the better and soberer sort will, and must forbear, and leave all in the hands of the Rascality, and at last no Representative will be chosen, or such an one as the People will be ashamed to own, and will desert them, and leave them to be ordered at the pleasure of the Army. 4. Prop. *That our Kings hereafter may be Elective, and disclaim a Negative Voice:* how frequent Civil Wars are in all Elective Kingdoms during the *inter-regnum*, or space between the death of the old, and choice of the new King, how obnoxious to the Souldiery, let the old Emperors of *Rome*, those later of *Germany*, the Kingdom of *Poland*, and heretofore *Bohemia*, and *Hungary* tell, all Histories are full of examples; yet if our elective Kings shall have neither the *Militia*, nor a *Negative Voice* in Councils, and the *Crown Revenues* be otherwise disposed of (as is inferred) and their Heads exposed to the humours of the People, or their Representative, the Office will be so unworthy of any wise man, that I do by these presents freely give my voice to the Lord *Fairfax*, and so unfit for any honest Gentleman; that I do hereby give my voice to *Cromwell* the perfidious Brewer; catch who catch can, let them agree amongst themselves, I care not which of the two shall be set up for the new States Scar-crow. This *Remonstrance* was about a week after seconded with a most insolent threatning *Declaration*, composed altogether to terror; it was occasioned as followeth. About the later end of *November*, the Parliament was informed the Army was upon their march to *London*, whereupon (not without great opposition by the Armies Party in the House, and with great caution it should be mannerly phrased for fear of angring his insolency) a Letter was voted to be sent the General, forbidding his nearer approach. In contempt whereof

the Army immediately printed the ſaid *Declaration*, accuſing the Parliament of *Breach of Truſt, Lightneſs, Inconſtancy, Indiſcretion*, ſaying, *They would appeal from them to the People* (that is, ſtill themſelves; you ſee they hold one and the ſame Rod over King and Parliament) and threatning *to advance preſently to* Weſtminſter, *to do what God ſhould enable them unto:* The ſame night they came to *Hyde*-Park-corner, and kept Guards there: Hereupon it was put to the Queſtion, *That the Armies approach was prejudicial to the freedom of Parliament?* but through the cowardice of ſome, whoſe hearts now begin to melt, and the impudent reſtleſs bawling of thoſe cheating Saints, that comply with the Army to keep themſelves from giving accounts, it paſſed in the Negative.

19. The Kings Conceſſions debated; and young *S. Hen. Vanes* inſolency.

Decemb. 2. The Kings Anſwer was debated: and as a prologue to it, young Sir *Henry Vane* (a Whelp of the old Curre) ſpake thus, *Mr. Speaker, By this Debate we ſhall know who are our Friends, and who are our Foes; or to ſpeak more plainly, We ſhall diſcover who are the Kings Party in the Houſe, and who the Peoples:* To which was anſwered, *That ſince this Gentlemen were ſo bold, to deal thus by way of prevention, in a threatning manner, and had forejudged and divided the Houſe into two parts: I hope it is as lawfull for me (who am no Grandee, nor no Gainer by our troubles,) to put you in minde of another Diviſion of the Houſe. Sir, you will find ſome deſirous of peace, and they are Loſers by the War; Others are againſt peace, and theſe are Gainers by the War. My humble motion is, that the Gainers may contribute to the Loſers, that we may all ſtand upon equal feet; for till then, the Balance of the Common-wealth will never ſtand right towards a ſettlement.* True jeſts bite ſore. He and his Syre oppoſe peace; leſt the Kings Revenue being reſtored, they ſhould loſe a good Trade there: the old Dogge is Chairman of that Committee; the young one is a principal Publican and Treaſurer; they get conſtantly above 6000*l. per annum*, between them; beſides private cheats by paying half Debts, and taking Acquittances for the whole; and then diſcounting for the whole; burying in old ſleeping Penſions for trifles, that have not been payed in many years, and paying themſelves all Arrears; *Cornelius Holland* is Servant to them both, and hath gotten as much wealth as makes him ſawcy enough

enough to hire *William Lilly*, and other Pampletiers to derive his Pedigree from *John Holland* Duke of *Exeter*, although it be known he was originally a Link-boy, but he is now one of the New Lights, an illuminated Brother. Master *Pryn* moved the debate of the Kings Answer might be laid aside until it was a free Parliament not environed by the Army: but (said Master *Rich. Norton*) *Take heed what you say against the Army, for they are resolved to have a free Parliament to debate the Kings Answer, if we refuse.*

20. The General Garisons *White-hall* and the *Mews* upon his own head.

This day the General took possession of *White-Hall* for his Quarters, as if he meant to keep out the King in defiance of the Treaty: he brought to Town with him four Foot Regiments, and six Regiments of Horse; part whereof quartered at *White-Hall*, the rest in *York-House*, and other great Houses; the Horse turned the Reformado Horse Guards that attended the Houses, and lodged in the *Mewes* by their order, out of their Quarters, without applying themselves to the Houses.

21. The House inform'd that the King was surprized by the Army, and carried Prisoner to *Hurst Castle*.

Upon Monday, *Decemb.* 4. News came to the House that *by several Orders from the General, His Majesty was seized in His Bed-chamber, and hurried away Prisoner to* Hurst Castle, *a Block-house out of the* Isle of Wight, *standing about a mile and a half in the Sea, upon a Beache full of mud, and stinking oaze upon low tides; having no fresh-water within two or three miles of it, bitter cold, and of a foggy and pestilent air, so noysome that the Guards thereof are not able to endure it long without shifting their Quarter.* This was a torment beyond Pistol and Poyson, many spake against the insolency of this fact, as being committed against the life of the King, and against the Honour and Publique Faith of the Parliament; who had Voted, *He should Treat in Honour, Freedome and Safety, in* Newport *in the* Isle of Wight; and had accepted His Royal Word *not to withdraw out of the Island during the Treaty nor in* 20 *daies after*; (which were not yet expired) and now to have the Houses debates and results fore-stalled, and the Treaty made frustrate by such an act of violence and prevention committed upon the Person of the King, was a presumptuous and rebellious act: It was moved therefore *that it might be Declared That his Majesty was removed out of the* Isle of Wight *by his Excellencies Warrant, without the consent or privity of the House:* But

those Members that Idolize that Bell and the Dragon, *the Army*, and are but Priests fatting themselves upon the Sacrifices of that Image; insisted upon it to have two words amended in the Question, 1. The word [*Declare*] would be construed to be a Declaring against the General and Army: 2. The word [*Consent*] to be left out, lest it argued a disagreement in opinion and practice between the Army and the House, as if the Houses dissented from it. And certainly those Gentlemen that stood upon these niceties, could not say, it was done with their consent, for it was hatched in the Junto; so it was barely voted, *To be done without privity of the House*, nevertheless.

22. The Debate upon the Kings Answers resumed.

The same day, they resolved to resume their last Saturdaies debate upon the Kings Answers to the Propositions of both Houses: The first Question debated was, *Whether they were satisfactory or no?* The Army Party argued, *They were not satisfactory, because the King had not granted all their Propositions in Terminis:* To this was Answered, *That these Propositions were not sent to his Majesty as Bills to be passed in Terminis, without debate: but as Propositions to be personally Treated upon,* (as the Votes of both Houses, and the Instructions of their Commissioners prove) now it is against the nature of all Treaties Personal, to tie up the Parties of either side so precisely, that they shall have no liberty to vary in any circumstance or particular; so that if all be not precisely granted, the Condescentions shall not be satisfactory, though all just things are yielded to; as appears by all Treaties between Nation and Nation where their first demands are never fully granted, but alwaies qualified and limited, if not diminished, the rule being, *Iniquum pitas ut justum feras*; so in all Treaties between Enemies, Party and Party, see Mr. *Pryn*'s said Speech, *Decemb.* 4. 1648. where to avoid cavils, he waves this equivocal Question, and propounds the Question anew in these terms, *Whether the Kings final Answers to the Propositions of both Houses in this Treaty, considered altogether, be not so full and satisfactory in themselves, that this House may and ought accept of, and proceed upon them for the speedy settlement of a safe and well-grounded Peace both in Church and Commonwealth, rather than reject them as unsatisfactory, and so hazard the loss of all, and the perpetuating of our Wars and miseries?* This he held in the Affirmative, with so many strong

strong and solid Reasons, Arguments, and Presidents both out of Divinity, Law, History, and Policy; and with so clear a confutation of the opposite Arguments, that no man took up the Bucklers against him to refute him: the Arguments are too many, and too long to be here repeated. Nor do I love to abridge that which hath little or nothing in it superfluous; or to make that short-lined by epitomizing it (such is the lazines of men to prefer Epitomies before large works) which I desire should be long-lined, and pass through many hands: This debate lasted until Tuesday morning, 5 *Decemb.* eight of the clock (the Independents hoping to tire out and fright away the moderate men) and then it was Resolved upon the Question (notwithstanding the terrors and menaces of the Army) *That the Answers of the King to the Proposition of both Houses, are a ground for the Houses to proceed upon, for the settlement of the peace of the Kingdom*; It was carried affirmatively by 140 Voices, against 104. that this Question should be put, and the Question it self was carried clearly Affirmative without dividing the House: presently after this House appointed a Committee of 6 Members to attend the General, to confer with him and his Officers, and keep a good correspondency between the House and the Army; who had so much surly pride, and so little manners, as to give them leave to take a nap of three or four hours long (after their nights watching) before admittance, and at last dismissed them with this churlish Answer, *That the way to correspond, was to comply with the Armies Remonstrance:* The House adjourned until Wednesday following.

23. The Armies treasonable violence upon the House in securing and secluding their Members.

Wednesday, *Decemb.* 6. 1648. The Saints militant being enraged that the House had recovered so much courage and honesty as to Vote according to their Consciences, and neglect their wild Remonstrance and threatning Declaration, (after some private conference in the morning between *Pride*, *Hewson*, and other Officers, and the Speaker in *Westminster-Hall* with the doors shut) they sent to the House of Commons a Paper, requiring *that the impeached Members and M.G.* Brown, (who they belied to have called in Hamilton) *might be secured and brought to justice, and that the 90 and odd Members who refused to Vote against the late Scotish Engagement, and all that Voted for recalling the 4 Votes for Non-Addresses,*

dresses, and Voted for a Treaty, and concurred in Yesterdaies Vote, [That the Kings Concessions were a ground for the Houses to proceed to a Settlement:] may be immediately suspend the House, and that all such faithfull Members who are innocent of these Votes would by Protestation acquit themselves from any concurrence in them that they may be distinguished: This is to subvert the foundation of Parliaments, and appeal to the judgment of the many-headed multitude without doors, and put all into Tumults. You see what kind of Parliament the Kingdom hath had ever since the Army Rebelled and Refused to Disband; a meer Free-Schoole, where *Cromwell* is Head-school-master, *Ireton* Usher, and (that cypher) *Fairfax* a Prepositer; surely these men are either the supreme Judges, or the supreme Rebels and Tyrants of the Kingdom: This Paper was delivered in, but they scorning to stay for an Answer, (by advice of their Independent Grandees of the Junto) upon Wednesday morning, *Decemb.*6.1648. sent two or three Regiments of Horse and Foot to *Westminster*, set strong Guards at the Houses doors, the *Lobby* stairs, and at every door leading towards the House, admitting none but Parliament men to enter *Westminster-hall*, where Col. *Pride*, Col. *Hewson*, and *Hardres Waller* (sometimes Cavalier, then a violent Presbyterian, and now a tyrannical Independent) violently seized upon divers Knights and Burgesses upon the Parliament stairs and elsewhere going to the House, and forcibly carried them away Prisoners to the Queens Court without any warrant shewed, or cause assigned: and there set strict Guards upon them; Mr. *Edward Stephens* and Col. *Birche* being in the House of Commons were called forth by feigned Messages sent in by some Officers under other mens Names, and there violently pulled out of the door, though they called to the Speaker to take notice of the force. The House sent the Serjeant of the Mace to command the Imprisoned Members attendance: but the Guards would not let them come. A second time the Serjeant was sent, with his Mace upon the same Errand, but Col. *Pride* in the *Lobby* would not let him pass; which contempt was entred into the *Journal Book*. Hereupon the House concluded not to proceed in business until their Members were restored; and sent to the General about it; yet afterwards when the Officers had several daies secured, secluded,

and

and frighted away more of the Members: and made the House a Conventicle of their own Complexion, then the House prevaricated and deserted their Members: About three of the clock afternoon *Hugh Peters* with a Sword by his side, (but not the Sword of Saint *Peter*) came into the Queens Court to take a List of the Prisoners Names by order from the General (as he said) where being demanded *by what Authority they were imprisoned?* he answered, *By the power of the Sword:* Night being come, the Imprisoned Members (41 in number) were conveyed away to a Victualling-House called *HELL*, and there kept all night without Beds, or any fitting Accommodation, when it grew late some of them had offers made them to go upon their Parolls to their own Lodgings, and to appear the next morning at *White-hall*; but this was but a jugling trick to make them acknowledge the Lord *Fairfax*'s Authority, and become voluntary prisoners upon their own engagement, and was therefore refused. The next morning being Thursday, the Imprisoned Members had warning given them *to meet the Ceneral and his Council of War at* White-*hall*, whither they were guarded in Coaches, tired out with watching and fasting: But the mechanick Council took so much state upon them, that after six or seven hours attendance until dark night, and no admittance or application to them: they were led away from thence on foot with Guards of Musketiers like Thieves and Rogues, and thorow the kennels like Col. *Prides* Dray-horses, to the *Swan* and *Kings-head*, two Innes in the *Strand*, and there distributed under several Centinels: The Souldiers making a stand with them sometimes half an hour together in the snow and rain, until they had put their Guards into a marching posture; and reviling them, *that they were the men that had cousened to the State of their money, and kept back their pay:* Upon which scandalous provocation, some of them Answered; *That it was the Committee of the Army, and their own Officers that had cousened them:* which some of the Foot-souldiers then acknowledged. Besides the 41 Imprisoned Members, the Officers standing several daies with Lists of Names in their hands at the Parliament door, have turned back from the House, and denied entrance unto above 160 other Members, besides 40 or 50 Members, who voluntarily withdrew to avoid their violence, all whom

See the 2. part of *England*'s Chains discovered; and the hunting of the Foxes, &c.

whom they know to be Losers by the War, and therefore desirous of a safe and well-grounded peace; so that they have made War against the majority of the House, (that is) against the whole House, for, *major pars obtinet rationem totius*, by all our Lawes and Customes, *The major part of the House is virtually the whole House*; which is Treason by their own Declarations and Remonstrance far higher than that whereof they accuse the King; and for which they demand Justice against Him: and the remaining faction of 40 or 50 engaged Members who now passe unpresidented Acts of Parliament of the House of Commons (as they call them) without the Lords, ought not to sit, act, nor take upon them the stile of a *House* under so visible, actual, and horrid a force, both by the Laws of the Land, and their own Ordinance, passed *August* 20. 1647. *To null and void all Orders, Votes, and Acts passed under the Tumult of Apprentices, from July* 26. *to the* 6 *Aug. following*; and yet the said Tumult ended the said *July* 26. when it began. See the said Ordinance herewith printed. The Army, who now acknowledge no power but *that of the Sword*, (as Major *White* long since foretold at *Putney*) and whose principle it is, *To break the Powers of the Earth to pieces*, as *Will. Sedgewick* in his *Justice upon the Army-Remonstrance*, saith: *And who* (as *Joh. Lilburn* in his *Plea for Common Right*, *p.*6. saith) *have by these extraordinary proceedings overturned all the visible supreme Authority of the Nation, now suffer only their own party of* 40 *or* 50 *Members to sit, and do journey-work under them, who are enemies to peace, and have got well by fishing in troubled waters, and hope to get better*: so that hardly a seventh or eight part of the Counties, Cities, and Burroughs that ought to have Members sitting, have any body to represent them; and therefore how they shall be bound by the Votes and Acts of this fag end, this Rump of a Parliament with corrupt Maggots in it, I do not see. Friday, *Decemb.*8. a Message from the General was brought to Sir *Robert Harlow* that he might go home to his house, giving his engagement not to oppose the actings and proceedings of this present Parliament and Army: The like was offered to divers others: you see hereby what the offence of these Imprisoned Members is, *onely a fear that they will defend the fundamental Government, the Religion, Laws, and Liberties of the Land, the Kings Person & Authority, and the being of Parliaments*

liaments against the Tyrannical and Treasonable practises of the Army and their House of Commons.

The small remnant of the House of Commons sent sundry times to the General to know why *he imprisoned their Members, and humbly to beseech him to set them at liberty if he had nothing against them:* But all this was but prevarication and false shews: For, 1. Their base and conditional way of demanding their Liberty [*if he had nothing against them*] implies an acknowledgement of the Generalls jurisdiction and conusance over them & an invitation of him to accuse them. 2. Their sitting and acting under so brutish a force before their Members righted, or the honour of the House vindicated, is a deserting and yielding up of their Members and honour. 3. Their voting an approbation of the matter of the Generall Officers scandalous and jugling Answer to their said Demands concerning the secured and secluded Members (as afterwards they did) without hearing what the said Members could say for themselves, is clearly a fore-judging and betraying them. 4. Their late Votes, *That no man shall peruse their Journal Book of Orders, &c. without special leave*; is purposely done to bar the said Members who cannot make any perfect Answer in confutation of the Scandals cast upon them by the General Councels printed Libel against them, without having recourse to th e said Bok, *to see what Votes passed for Ireland, for the* 200000 l. and other matters. To say nothing how unuseful and unjust it is to keep the Records of the House from the view and knowledge of any man, and yet to expect their obedience to them. 5. Their exceeding strict & severe prohibiting the printing any Books not Licensed, and imploying Souldiers to search all Printing houses daily, is done in order to bar the said accused Members from publishing an Answer in their justification. 6. Their Summoning Mr. *Pryn* by Order *to appear at the Commons Bar*, knowing him to be still a Prisoner to the Army; shews, that the Army and they serve each others turns against them. 7. And lastly, the Declaration of the present House of Commons, dated *Jan.*15.1648. is nothing but an eccho of the said answer of the General Councel, against the said secured and secluded Members. They that are so wickedly industrious to destroy these Gentlemens credits, do this as a

24. Reasons, proving that the remaining Faction or Junto sitting under the force of the Army, were consenting to the securing and secluding their Members, sect. 134, 135.

preparative to destroy their persons, and seize upon their Estates, for the maintenance of a new War (which they foresee their violent courses will bring upon them) and for the farther inriching of themselves, and establishing their Tranny, which they miscall, *The Liberty of the People.* This violent purge wrought so strongly upon the House, and brought it to that weakness, that ever since it is eleven or twelve of the clock before they can get forty Members together to make an House, of which number they sometimes fail: One time the Members would have had the Speaker go on upon businesses with a less number than forty, but he knowing all so done to be illegal and void, refused; and yet (to piece up the House) they permit Mr. *Blagrave*, Mr. *Frye*, and *Humphry Edwards* to sit as Members, notwithstanding their Elections are voted *Void* by the Committee of Elections; and one day an Officer of the Army having taken some Members going to the House, and secured them in the Tobacco-room, under Guard: The Speaker not being able to muster enough to make a House, was fain to send to the said Officer, to lend him his said Prisoners to make up a Free Parliament: This disgrace put upon the Imprisoned Members is purposely intended as an Invitation to all their Enemies to come in and accuse them; nay, it can be proved that means hath been used to suborn Witnesses against them; besides which, the Faction have made a strict Inquisition into their lives and conversations, and have hitherto met with nothing.

25. The day after the House purged, in comes Dr. *Cromwell* and *Henry Martin* his Apothecary.

Thus the House being throughly purged, the next day in comes the Dr. *O. Cromwell* out of the Country, bringing in under his Protection that sanctified Member *Henry Martin*, who had spent much time in plundring the Country, had often baffled the House, and disobeyed many of their Orders; sufficient to have made an honest man a Malignant liable to Sequestration: But *great is the priviledge of the Saints.* It fortuned that day the case of the secured Members was reported to the House, which *Harry* interrupting, desired them *to take into consideration the deserts of the Lieutenant General*; which with all slavish diligence was presently done. And the Speaker moved, *that to morrow might be a day of Humiliation to be kept in the House, to humble the spirits of the Godly*, much overleavened with the *Scotish Victory.*

That

That you may the better understand how far they mean to be humbled, *Hugh Peters* the Pulpit-Buffon was one of their Chaplains, who in stead of delivering the Oracles of God, delivered the Oracles of the Councel of War to them, talking obscurely of Accommodation and Moderation, and advising them to adjourn till Munday or Tuesday (I think) that the Army might cut out work for these Journey-men of theirs; and might work their wills upon the City in the mean time, when no House should be sitting for the Citizens to address their Complaints to; for in the interim they Garrisoned *Black Friars*, and St. *Pauls*, reforming it from the Church of God, to a Den of Thieves, Stable of Horses, and Brothel of Whores, and Robbed diverse Halls in *London* of vast sums of money by the Prerogative Royal of the Saints.

The 11. day of *Decem.* 1648. the said secured Members published a Printed paper, as followeth:

26. A declaration of the secured and secluded Members, against the violence of the Army.

A solemn *Protestation* of the imprisoned and secluded Members of the Commons House: Against the horrid Force and Violence of the Officers and Souldiers of the Army, on Wednesday and Thursday last, the 6. and 7. of *Decem.* 1648.

WE the Knights, Citizens, and Burgesses of the Commons House of Parliament (above one hundred in number) forcibly seized upon, violently kept out of the House by the Officers and Souldiers of the Army under Thomas *Lord Fairfax, coming thither to discharge our duties on Wednesday and Thursday last, being the 6. and 7. of this instant* December; *do hereby, in our Names, and in the Names of the respective Counties, Cities, and Burroughs, for which we serve, and of all the Commons of* England, *solemnly protest and declare to the whole Kingdome, That this execrable force and open violence upon our persons, and the whole House of Commons, by the Officers and Army under their command, in marching up against their command, and placing strong armed Guards of Horse and Foot upon them, without and against their Order, is the highest and most detestable force and breach of Priviledge and Freedome ever offered to any Parliament of* England; *and that all Acts, Ordinances, Votes and proceedings of the said House made since the 6. of*

Decemb. *aforesaid, or hereafter to be made during our restraint and forcible secluſion from the Houſe, and the continuance of the Armies force upon it, are no way obligatory, but void and null to all intents and purposes; And that all Contrivers of, Actors in, and Aſſiſtants to this unparallel'd force, and treaſonable armed violence are open Enemies to, and profeſſed Subverters of the Priviledges, Rights, and Freedome of Parliament, and Diſturbers of the peace and ſettlement of the Kingdome; and ought to be proceeded againſt as ſuch; and that all Members of Parliament, and Commoners of* England, *by their ſolemn Covenant and duty, under pain of deepeſt perjury and eternal infamy, are obliged unanimouſly to oppoſe and endeavour to their utmoſt power to bring them to exemplary and condigne puniſhment for this tranſcendent offence, tending to the diſſolution of the preſent, and ſubverſion of all future Parliaments, and of the fundamental Government and Laws of this Realm.*

All which we held it our duties to declare and publiſh to the world, for fear our ſtupid ſilence ſhould give any tacit conſent or approbation to this moſt deteſtable crime, and make us guilty of betraying the Priviledges, Freedome, and Honour of this Parliament, to our perpetual reproach, and the prejudice of all ſucceeding Parliaments.

Dated at *Weſtminſter* Decem. 11. 1648.

27. The tame Lords and inſolent Commons paſs and print a Declaration againſt the ſaid Declaration.

The ſaid ſolemn Proteſtation of the ſecured Members being complained of, was ſufficiently barked at in the Houſe of Commons, and the Lords fell a barking at it too for company; and at laſt (that they might confute it with Authority inſtead of Reaſon) both Houſes paſſed this following Declaration againſt it.

The Declaration of the Lords and Commons: Againſt the firſt Declaration of the ſecured and ſecluded Members.

THe Lords and Commons aſſembled in Parliament, taking into their conſideration a Printed paper, entituled [A ſolemn Proteſtation of the impriſoned and ſecluded Members, &c.] *wherein amongſt other things, it is Declared,* That all Acts, Ordinances, Votes, and proceedings of the Houſe of Commons, made ſince the 6. of this inſtant *Decem.* or hereafter to be made during their reſtraint

restraint and forcible seclusion from the House, and the continuance of the Armies force upon it, are no way obligatory, but void and null to all intents and purposes: *The said Lords and Commons do thereupon judge and declare, the said Printed paper to be false, scandalous, and seditious, and tending to destroy the visible and fundamental Government of this Kingdom: And do therefore order and ordain the said Printed paper to be suppressed, and that all persons whatsoever that have had any hand in, or given consent unto the contriving, framing, printing or publishing thereof, shall be adjudged, and hereby are adjudged uncapable to bear any Office, or have any place of Trust or Authority in this Kingdome, or to sit as Members of either House of Parliament. And do further order and ordain, that every Member of either House respectively now absent, upon his first coming to sit in that House whereof he is a Member for the manifestation of his innocency, shall disavow and disclaim his having any hand in, or given consent unto the contriving, framing, Printing or publishing of the said paper, or the matter therein contained.*

The present visible Government is the Power of the Sword in the hands of Rebels.

The fundamental Government of this Kingdom is destroyed by the Faction remaining in the House of Commons, by their Acts *For abolishing Kingly Government, The House of Peers their putting down Trials by Jury of 12 men, and setting up illegal High Courts of Justice, their usurping the Supream Authority, their making Treason an Arbitrary crime, their erecting a Councel of State*, or *Hogens Mogens*, sorry Tyrants in lieu of one King, their altering the stile of Writs, and Legal Proceedings, &c. Sentence given before any person accused, or heard to speak for himself. Oh the brutish understanding of men whose sins and fears have intoxicated their wits.

28. The Conventicle of Commons repeat *ex tempore* in a thin House under a force; the Votes deliberately passed in a full and free House.

The 12. and 13. *December*, the Commons (that they might purge their Journal Books of all State-Heresies, as well as their House of all State-Hereticks) voted this *Index expurgatorius*, which in their own canting language I here present to you.

1. Resolved, &c. *That the Vote of this House*, Jan. 3. 1647. *for revoking the Order*, Sept. 9. 1647. *for suspending Commissary* Lionel Copley *from being a Member of this House; is of dangerous consequence, and tending to the destruction of the justice and peace of the Kingdome, and is hereby repealed.* The like for the rest of the Impeached Members, *mutatis mutandis.*

2. Resolved, &c. *That the Vote of the House*, June 30. 1648. *whereby this House did concur with the Lords (for opening of a way to the Treaty with His Majesty for a safe and well-grounded Peace) That the Votes*, Jan. 3. 1647. *forbidding all Addresses to be made*

made to, or from the King, be taken off; was highly dishonourable to the proceedings of Parliament, and apparently destructive to the good of the Kingdome (sure they meant the Kingdome of the Saints.) They likewise by four several Votes, revived the said four Votes, *Jan.* 3. for no Addresses, *in terminis.*

3. *Resolved*, &c. *That the Vote*, July 28. 1648. *That a Treaty be had in the* Isle of Wight *with the King in person by a Committee appointed by both Houses, upon the Propositions presented to him at* Hampton-Court; *was highly dishonourable, & apparently destructive to the good of the Kingdome.* Good Boyes, they can say their Lessons well, and apace too, when the Army whips them on; they will shortly have a Jubilee of Play-days for their pains, forty or fifty new Lights snuffed by the Councel of War, can better discover what is dishonourable, and apparently destructive to their own Kingdome, than 340 or 244 could do at other times, If you ask what Debates they had? they could have none, being now freed from the contradiction of sinners: being all Birds of a feather, taught the same tune by the same Masters, and singing in the same Cage.

The House adjourned.

29. A Protest to be entred against the Votes, *That the Kings Grants were a ground to a settlement*; a Touch-stone of *J. Gourdons* See the Order *Dec.* 9. 1648.

Yet the unanimous recalling those Votes was not thought (by those that think one thing, and say another) a sufficient *Test* all were confidently for them, that voted with them; wherefore godly *John Gourdon* (a Fellow that spits venome as naturally as a Toad) moved, *That a Protestation might suddenly be drawn up, and every Member to set his hand to it, in detestation of those repealed Votes.* A Committee was appointed accordingly. The 14. *Decem.* the said new-found *Shiboleth* was brought in by *Gourdon*, which caused divers that were not yet mad enough for *Bedlam* to forbear the House, or rather Conventicle.

30. The Militia of the Counties new setled in Independent hands.

Decem. 14. They repealed the Ordinance lately passed (after mature debate) *for setling the County-Militias of the Kingdom*, because there were some Presbyterians in it not well-affected to the Army; and in that new sense, Malignants: And ordered, *that a new Ordinance, with a List of New Names*, of Saints Militant (sounding like a Jewish pedigree) *be brought in*; for (through the indiscretion of the Presbyterians) the Independents have had the custody of our Purses a long time, and now must keep our Swords too, and then, *Stand and deliver*, will be the only Law of the Land.

About

About this time Major General *Brown*, one of the Sheriffs of *London*, was fetched out of the City by a party of Horse, and carried before the Mechanick Councel of War at *White-hall*, (although a Member of Parliament, and consequently one of their Masters) where he told them, *He knew they had nothing to charge him withall, but his honest endeavours to preserve His Majesty, and His posterity, together with the Parliament, City, and Kingdome, with the Laws and Government thereof from being rooted up by them, and that he feared them not.* Col. *Hewson* (the one-eyed Cobler) was so sawcy as to tell him, *He was too peremptory*; at last the commited him prisoner to St. *James's*. 31. Sheriff *Brown* carried away out of the City Prisoner to St. *Jams's*.

And that he might not want company, they sent a Warrant to Capt. *Lawrence* Marshal General, to remove Sir *Will. Waller*, Sir *John Clotworthy*, Major Gen. *Massey*, and Commissary General *Copley* from the Kings Head to him. 32. Sir *Wil. Waller* &c. removed to S. *Jams's*.

The Marshal shewing them the Warrant, they protested against the Authority, and offered the Protest to the Marshal in writing, desiring him to shew it to the General; which he refusing to receive, Sir *Will. Waller* desired all the company to witness what Protestation they did make in behalf of themselves, and all the Free-born people of *England*, against the violent and illegal encroachments of the General and Councel of War, against the Laws and Liberties, and read it aloud, as followeth: 33. They protest against the Generals Authority.

A Declaration of the taking away of Sir *Will. Waller*, Sir *John Clotworthy*, Major Gen. *Massey*, and Col. *Copley*, Members of the House of Commons, from the Kings Head in the Strand to St. *James's*: Together with their Protestation read at their removal; With a Copy of the L. Generals Order for the same. Tuesday, *Decem.* 12. 1648.

Marshal *Laurence* came and acquainted Sir *William Waller*, Sir *John Clotworthy*, Maj. Gen. *Massey*, and Mr. *Lionel Copley*, Members of the House of Commons, *That he had Orders from the Lord General and Councel of the Army, to remove them from the other Prisoners to* St. *James's*: They replied to him, *That they desired to see his Orders*: The Marshal answered, *They were only verbal*; but the Gentlemen insisting to see a Warrant for their remove;

remove; the Marshal went to the General, and from him about six a clock brought an Order; a true Copy of which follows, *Viz.*

YOu are upon sight hereof, to remove Sir Wil. Waller, *Sir* John Clotworthy, *Major General* Massey, *and Col.* Copley, *from the Kings-head Inne (where they are now in custody) to St.* James's: *And for so doing this shall be your Warrant.*

Given under my hand, *Decem.* 12. 1648.

To Marshal General Lawrence.

Tho. Fairfax.

This Order being shewed unto the foresaid Gentlemen, Sir *Will. Waller* produced a Paper, desiring that the same might be presented to the General; which Marshal *Lawrence* refused to receive: Upon which, the said Sir *William Waller*, and the other three Gentlemen, desired the said Marshal and all the Gentlemen there present to attend and witness to that Protestation, which they did there make in behalf of themselves, and all the Commons and Free-born Subjects of *England*, so with a distinct and audible voice read their Protestation, as followeth:

WE whose Names are hereunto subscribed, being Members of the House of Commons, and Freemen of England, *do hereby declare and protest before God, Angels and Men, That the General and Officers of the Army, being raised by the Authority of Parliament, and for defence and maintenance of the Priviledges thereof, have not, or ought to have any power or jurisdiction to apprehend, secure, detain, imprison, or remove our persons from place to place by any colour or Authority whatsoever; nor yet to question or try us, or any of us by Martial Law, or otherwise for any offence or crime whatsoever, which can or shall be objected against us: And that the present Imprisonment and removal of our persons is a high violation of the Rights and Priviledges of Parliament, and of the*

Fundamental

Fundamental Laws of the Land, and a higher uſurpation and exerciſe of an Arbitrary and unlawfull power, than hath been heretofore pretended to, or attempted by this or any King or other power whatſoever within this Realm; notwithſtanding which, We and every of us do Declare our readineſs to ſubmit our ſelves to the Legal trial of a Free Parliament, for any crime or miſdemeanour that can, or ſhall be objected againſt us.

In witneſs whereof, we have hereto ſubſcribed our Names the 12. of *December*, 1648.

At the *Kings-head* in the *Strand*. *William Waller*, *Edward Maſſey*, *John Clotworthy*, *Lionel Copley*.

34. Four ſecured Members diſcharged.

About this time, Mr. *Pelham*, Mr. *Lane*, Mr. *Vaughan*, Sir *Simon Dewes*, (Members ſecured) were ſet at liberty without any engagement, although at firſt it was demanded *they ſhould engage not to attempt any thing againſt the preſent actings of this Parliament and Army*; which they refuſed.

35. The Agreement of the People publiſhed and anſwered.

About *Decemb.* 11. 1648. was delivered into the world a monſtrous Beggers Brat, called [*The Agreement of the People.*] It is very judiciouſly anſwered by Mr. *William Aſhurſt*; all the Contents thereof is in the *Remonſtrance of the Army*, 20. *Nov.* 1648. whereof I have ſpoken already.

1. It propoſeth, *That the People* (that is, ſome ſmall part of the People, the Army and their faction) without any colour of Law or Right *ſhould agree together to take away finally the preſent Government by King, Lords, and Commons*, which the Kings Party heretofore charged upon the Parliament as their Deſign for which they fought, whereupon, the Parliament to vindicate themſelves, publiſhed many Declarations, and paſſed ſundry Votes, *That they would not alter the Government by King, Lords, and Commons*; it alſo takes away the legal right from Burroughs to chooſe Members of Parliament; this admitted, they may as well conſpire to take away any Law, or any mans Life or Eſtate, by which rule we could enjoy nothing but as the will of any number of men that ſhall call themſelves *The People*. And upon the ſame ground that thoſe that ſhall ſubſcribe this *Agree-*

ment may call themſelves *the People*, may thoſe that ſhall refuſe to ſubſcribe call themſelves *the People*, and upon far better grounds as being far the more numerous, and ſtanding for defence of thoſe Ancient Laws, which do conſtitute the People and Common-wealth of *England*, which will breed infinite confuſions and diviſions: and what thoſe that call themſelves *the People* now agree to, they may alter upon the next change of humour or intereſt.

2. The inconveniences of the preſent Government have not yet been plainly diſcovered, nor no Trial hath been made by the preſent known legal power of *England*; whether thoſe inconveniences may not be removed without ſubverting the preſent Government, and introducing ſo total a change as will be very dangerous and grievous to all ſorts and conditions of men.

3. In the Proteſtation, *May* 5. 1641. and the Covenant, *Septemb.*27.1643. we are bound to defend Parliaments, and to oppoſe and bring to puniſhment all ſuch as ſhall endeavour the ſubverſion of Parliaments, which this Agreement clearly doth.

4. This Agreement incroacheth deſperately upon the liberty of the People of *England*, in the Election of this Repreſentative; depriving them that have conſtantly adhered to this Parliament as well as the Kings Party (if they cannot in conſcience ſubſcribe it) from Electing, or being Elected; yet they ſhall have Laws and Taxes impoſed upon them by Subſcribers, who are the leaſt, and the leaſt conſiderable party of the Kingdom, and upon whom they confer no truſt; which is to disfranchiſe the Nonſubſcribers, and reduce them to the condition of conquered Slaves. It is a known Maxime in Law, *Quod omnes tangit, ab omnibus tractari debet*, what concerns all men muſt be debated and agreed to by all men, either perſonally or repreſentatively.

5. It will raiſe factions and feuds between the Subſcribers and Non-ſubſcribers of the Parliament party.

6. It takes away Magiſtracy and Government, not onely by placing ſuch a Supreme Power over them as is diſputable; nay, apparently illegal: But by making the heady multitude (*the People*) ſupreme Judges over the ſaid Repreſentative: for although it inflicts the penalty of death upon the reſiſters of their orders;

yet

yet is with this *salvo*, except such Representative shall expressly violate this Agreement, which makes every man or number of men that shall get power into their hands Judges of it, nor is there any other Judge designed: and (if there were) who shall judge that Judge? *& sic in infinitum*, the legal Supreme Trust of all publique interests being taken away, our vagaband thoughts wander in a circle, not knowing where to repose our Trust, all Judges, all Councils may erre, but the rascal multitude are the sink of errors and corruptions. If therefore the Supreme, the Representative have so unstable an authority, what shall the subordinate Magistrate acting under them have?

7. It smels so much of the Jesuite, that it tolerateth Popery in private Houses; contrary to the known Laws of the Land: Popery (like the old Serpent) if it once get in the head, will soon insinuate the whole body, being so well backed by Potent Princes and Councils from beyond Sea. And truly I know not what to say against Popery, where Heresie, Schism, Atheism, and Blasphemy are openly tolerated, and exempted from the power of the Civil Magistrate, as in this Agreement.

8. It will lose *Ireland*; the managing of the War there being legally in this Parliament by Act passed, not in this new-fangled Representative.

9. It divides us from *Scotland*.

10. It destroyes the Cause for which the Parliament so often Declared, Voted, Protested and Covenanted that they fought, viz. *Defence of Parliament, Religion, Laws and Liberties*, and bestows the cause upon the King, as if He only (from the beginning) had fought for them: which all men have reason to believe, when they shall see the Parliament make such ill use of their Victory, as to root them all up. And this and all other Parliament-Armies were commissioned *to preserve this Parliament*; by this Authority they have their Pay and Indempnity, without which they are Thieves, Rebels, and Murderers.

11. It demands, that there be no Lawyers nor Laws, but new Rules in English to be made from time to time by the new Representative, who are to be chosen and trusted onely by a small faction of Subscribers, (as hath been said) according to which Justice shall be administred, not by Mayors, Sheriffs, Justices of

the peace, Officers alwaies ready, but by hundred Courts, who are to supply the roome of all the Judges and Lawyers of the Kingdom: and all this to ly in the brests of 12 Men in every Hundred (of the Tribe of the Godly be sure) who peradventure can neither write nor read, nor have responsible Estates to satisfie wrongs done: these shall do justice by providence and revelation.

12. It destroyeth all great and publick Interests (and therefore cannot stand) Kings, Lords, Souldiers, Magistrates, Parliaments, Lawyers, Ministers, who will oppose it, because it confounds and destroys Religion, and depriveth the Ministery of its lot, Tythes; stopping their mouths with famine, purposely to cast them off: and generally all men of quality and discretion will withstand it; because it gives no security for enjoyment of liberty and property, not for increase of learning, civility and piety; who then are left to own and subscribe it but desperate forlorn Persons, who, because they cannot bring their actions under the protection of our present Laws and Government, will bring the Laws and Government to their own corrupt wills and interests, and therefore will sign this *Agreement*: no obedience being given to this Representative, but upon condition (*that they kept this Agreement*) and their being no other Judges of their keeping it but the Subscribers; who in the result of all, hath the Law in their own Wills.

36. This Agreement of the People was condemned by the House of Commons. 9 Nov. 1647.

This *Agreement of the People* is the same which was subscribed by 9 Regiments of Horse, and 7 of Foot, and presented with a Petition to the House of Commons, *Novemb.* 5. 1647, by the Agitators, *Gifford* the Jesuite being then in the *Lobby* with them, and very active therein. Upon reading and debate hereof the House then declared their judgements against it, by passing these Votes:

Die Martis, 9. Nov. 1647.

A Paper directed to the Supreme Authority of the Nation the Commons in Parliament assembled, The just and earnest Petition of those whose Names are subscribed, in behalfe of themselves and all the Free-born people of England: *Together with a Paper annexed, intituled, An Agreement of the people for present and future peace, upon grounds of Common Right, avowed.* How these Papers come

now

now to be owned, those that oppose them violently secured by the Army, by the connivance (at least) of the dregs of the House now sitting, let the Saints now voting in the House examin their pockets, for (I am confident) their consciences had no hand in the businesse.

Resolved, &c. That the matters contained in these Papers, are destructive to the beings of Parliaments, and to the fundamental Government of the Kingdome.

Resolved, &c. That a Letter should be sent to the General, and those Papers inclosed, together with the Vote of this House upon them: and that he be desired to examine the proceedings of this businesse in the Army, and return an account thereof to this House.

37. The said Agreement damned by the General and Councel of War, and a shot by sentence for promoting it.

The General and Councel of War in pursuance of this Vote, condemned one of the Agitators who promoted it, and shot him to death at *Ware* (you see what it is to do a thing unseasonably, this Design of the Army and their Party was not yet ripe) wherewith they acquainted the House; yet they kept in the same fire in the City still, where some of their Confederates, 23. of the same *Novem.* sent the same *Agreement*, &c. inclosed in a Letter, with a Petition into the House of Commons: whereupon the House (giving thanks to the General for the execution done at *Ware*, and desiring him to examine that businesse to the bottom) unanimously passed these Votes:

Die Martis, 23. Nov. 1647.

38. The said Agreement condemned by the House a second time. 23. *Nov.* 1647.

A Petition directed *to the Supreme Authority of* England, *the Commons in Parliament assembled, and* entituled, *The humble Petition of many Free-born People of England*, sent in a Letter directed to Mr. Speaker, and opened by a Committee thereunto appointed, was read the first and second time.

Resolved, &c. That this Petition is a seditious and contemptuous avowing and prosecution of a former Petition and Paper annexed, stiled, An Agreement of the People, formerly adjudged by this House to be destructive to the being of Parliaments, and fundamentall Government of the Kingdome, &c.

Resolved, &c. That Tho. Prince, *Cheese-monger, and* Sam. Chidley, *be forthwith committed prisoners to the prison of the Gate house, there to remain prisoners during the pleasure of this House, for a seditious and contemptuous avowing and prosecution of a former*

petition

Petition and Paper annexed, ſtiled, An Agreement of the People, formerly adjudged by this Houſe deſtructive to the being of Parliaments, and fundamental Government of the Kingdom.

Reſolved, &c. That Jeremy Ives, Tho. Taylor, *and* Will. Larner, *be forthwith committed Priſoners to the Priſon at* Newgate, *&c. as laſt aforeſaid, in Terminis.*

Afterwards by an Ordinance, *Decemb.* 17. 1647. *for Electing Common-Council-men, and other Officers in London,* they expreſly ordained, *That no Perſon who hath contrived, abetted, perſwaded, or entred into that engagement, entituled,* [*The Agreement of the People,*] *declared to be deſtructive to the being of Parliaments, and fundamental Government of the Kingdom; be elected, choſen, or put into the Office of the Lord Mayor of the City of* London, *Sheriff, Alderman, Deputy of a Ward, or Common-Council-man of the ſaid City, or ſhall have any voice in the election of any ſuch Officers, for the ſpace of one whole year; and be uncapable of any of the ſaid places:* yet now theſe petty Fellows keep the whole City in awe.

39. Yet this Agreement ſince inſerted into the Remonſtrance of the Army, owned by the General and Council of War, and *Novemb.* 20. 1648. obtruded upon the Houſe.

These multiplied Votes and Ordinance, laid this *Agreement of the People* aſleep until the beginning of *November*, 1648. when (to hinder the peace of this Kingdom, and relief of *Ireland*) the Jeſuits and Agitators proſecuted it again in the Army, and inſerted it again *verbatim* in the *Remonſtrance of the Army, Novemb.* 20. 1648. *to break off the Treaty with the King, bring him to capital puniſhment, and caſt the odium of all upon the Parliament:* And the General and his Council of Officers (though they had formerly ſhot a Souldier to death for proſecuting it) unanimouſly approved it at Saint *Albons, November* 16. 1648. and obtruded it upon the Houſe the 20 *Novemb.* and when they found the Houſe ſo reſolute in the Treaty as to proceed, they firſt ſeized the Perſon of the King, and carried Him to *Hurſt-Caſtle*, as aforeſaid; and when the Houſe at laſt cloſed up the Treaty with this Vote, *That the Kings Anſwers to the Propoſitions of both Houſes were a ground for the Houſes to proceed upon towards a ſettlement:* They ſeized upon 41 Members of Parliament, ſecured them, and villanouſly treated them, ſecluded above 160, and frighted away at leaſt 40 or 50 more, leaving onely their own *Somerſet-houſe* Junto of 40 or 50 thriving Members ſitting

40. Why they purged the Houſe.

to

to unvote in a thin Houſe under a force, what had been voted in a full and free Houſe. To vote down the Kingly Office and Houſe of Peers, to vote the Supreme Authority to be in the People, and in the Houſe of Commons as their Repreſentative, clean contrary to their three laſt recited Votes. To bring the King to capital punishment, before a new invented, illegal, mixed Court, (conſiſting of engaged perſons) erected for that purpoſe, that hath neither foundation by Preſcription nor Law, and to erect a Council or Committee of States, out of their number (in the nature of Lords, States General, or Hogen Mogens) with an unknown and therefore unlimited Authority, to continue in being after the diſſolution of this Parliament. So farewell Kings, Lords and Commons, Religion, Laws and Liberties, and all Votes, Declarations, Remonſtrances, Proteſtation and Covenant, made heretofore onely to gull the People, and carry on their deſign.

41. Divers Lords do homage to the General and wave their honors.

About 19 *Decemb.* divers Lords went to do homage to the General, to expreſs their good affections to him, and their concurrence with him for the Common good, and their readineſs to wave their Priviledges and Titles if they ſhall be found burdenſome to the liberty of the People, and had a gracious nod for their pains.

42. An Ordinance to curb the City in electing Officers.

About this time the Lords and Commons paſſed an Ordinance *for electing Common-Council-men and Officers in* London *for the year following*, to this effect, *That no Perſon that hath been impriſoned or ſequeſtred* (rightfully or wrongfully) *or hath aſſiſted the King againſt the Parliament in the firſt or ſecond War, or hath been aiding or aſſiſting in bringing in the Scots Army to invade this Kingdom, or did ſubſcribe or abett the treaſonable Engagement, 1647. or that did aid, aſſiſt, or abett the late Tumult within the Cities of* London *and* Weſtminſter, *or the Counties of* Kent, Eſſex, Middleſex, *or* Surrey, *ſhall be elected, choſen, or put into the Office or Place of Lord Mayor of* London, *Alderman, Aldermans Deputy, Common-Council-man, or into any Office or place of Truſt within the City, for the year enſuing, or be capable to give his voice for chooſing any Perſon to any the Offices aforeſaid. And that if any Perſons comprehended under the aforeſaid exceptions being choſen, ſhall preſume to ſit in the Court of Aldermen, Common-Council, or execute any of the*

the aforesaid Offices, he shall forfeit 200l. *And all such Elections to be null and void; the Lord Mayor to take order that this Ordinance be read at all Elections, and punctually observed; and also to afford the liberty of the Vole, it being required by any of the Electors present.* But this Ordinance not giving full satisfaction to the Zealots, *Skippon* stood up, and looking as demurely as if he meant to say Grace, he told the House, *That the late Ordinance was not sufficient to keep Malignants out of Office in* London, *for Mr. Speaker* (said he) *It is not enough to exclude Delinquents, or the Abetters of the late Insurrections, &c. for there are a more dangerous sort of men amongst them: They which promoted the Treaty, and endeavoured to have the King brought to* London, *except these be made incapable of Authority, it will be a great discouragement to the Godly party of the City.* So an additional Ordinance to this end was ordered to be brought in, you see to endeavour peace and settlement, is accounted by these Saints militant a sufficient crime to forfeit a mans Birth-right.

Skippon moveth for an Addition to the said Ordinance.

43. I formerly told you of *John Gourdons* motion, *That all Members might subscribe a Protestation against the Votes for a Treaty with the King in the* Isle of Wight, *and especially against the Vote,* 5. December. 1648. which declareth, *That His Majesties Answers to the Propositions of both Houses were a ground for the two Houses to proceed to a settlement*; and untill such dissent or disapproval to forbear the House; This was done in obedience to the demands of the Army in their *Remonstrance* presented 20. *Novem.* 1648. And although it be so clearly against the Orders and Priviledges of Parliament, that divers Members formerly (and some this Parliament) have been suspended the House, and committed to the Tower for offering it, because it tends to breed factions and divisions in the House, and Tumults without doors; yet every request from an Armed man is a Command, and must be obeyed.

The Members subscribe *John Gourdons* Protestation, sect. 29.

Sect. 23.

The *List* of the Names of these new Protestants followeth, and (it is hoped) they will in time give better Reasons then (*the power of the Sword*) for it, 20. *Decem.* 1648. subscribed, The Lord *Lysle*, Col. *Boswel*, *Jo. Gourdon*, Lord *Gray*, *Peregrine Pelham*, Col. *Jones*, Col. *Temple*, Col. *Ven*, Sir *Tho. Malevourer*, Sir *Thomas Wrothe*, Sir *Jo. Bourcher*, Col. *Peter Temple*, *Humphry Edwards*, (who waited on the King to the House when he demanded the

5 Mem-

5 Members, and his Election is adjudged void by a Committee) Mr. *Tho. Chaloner*, Sir *Gregory Norton* (who gave a man 20 l. to wait on the King in his place as Penſioner when He demanded the five Members) *Michael Oldſworth*, *Auguſtine Garland*, Sir *Jo. Danvers*, Mr. *Dove*, Mr. *Henry Smith*, Mr. *Frye* (whoſe Election is voted void) Mr. *Searle*, *Nich. Love*, *John Lyſle*, Col. *Rigby*, *Cornelius Holland*, Col. *Ludlow*, *Greg. Clement*, Col. *Purefoy*, Col. *Stapeley*, Mr. *Duncb*, Mr. *Cawley*, Col. *Downes*, *Jo. Carey*, *Jo. Blackiſton*, *Tho. Scot*, Decem. 22. Col. *Hutchinſon*, Sir *Hen. Mildmay*, Sir *James Harrington*; Decem. 25. Col. *Edward Harvey*, Alderman *Pennington*, Alderman *Atkins*, *Dan. Blagrave* (voted out of the Houſe) Col. *Moore*, Col. *Millington*, Mr. *Prideaux*, *Roger Hill* the little Lawyer, *Dennis Bond*, Col. *Harrington*, Maſter *Hodges*, Maſter *Valentine*.

44. Sixteen impriſoned Members were about this time ſent for by the General; when they came, out came *Ireton*, and finding Mr. *Pryn* amongſt them, he chid the Martial for bringing him, and commanded him to be taken away; but Mr. *Pryn* refuſing to depart, *Ireton* commanded him to be thruſt out by head and ſhoulders; whereupon Mr. *Pryn* openly proteſted, *That the Army endeavoured utterly to ſubvert the fundamental Laws of the Land, and Priviledge of Parliament; That they had no power over him, nor any Member of Parliament; That their late force acted upon them, and their proceedings was illegal, and traiterous; That all men were bound to bring them to condign puniſhment as Rebels and Traitours to their God, their King, Country and Parliament.* So Mr. *Pryn* was removed by the Martial, and *Ireton* went in once more to conſult the Oracle, and at laſt came out again to the Gent. telling them, *It was the Generals pleaſure they ſhould be all releaſed, attempting nothing againſt the actings of this preſent Parliament and Army, but* (ſaid the inſolent fellow) *Let that be at your peril*; ſo the Gentlemen expreſſing *that they would give no engagement*, were releaſed without any.

Sixteen impriſoned Members diſcharged without engagement.

45. The 22. *Decem.* both Juntoes of four Lords, and twenty Commons, kept a Mock-faſt at Saint *Margarets Weſtminſter*; Where *Hugh Peters* the Pulpit-Buffon, acted a Sermon before them; the ſubject of his Sermon was, *Moſes leading the* Iſraelites *out of Egypt*, which he applied to the *Leaders* of this *Army*, whoſe

A Mock-Faſt kept by the two Houſes, and *Hugh Peters* Comick Sermon.

whose design is *to lead the people out of Ægyptian bondage: But how must this be done? that is not yet revealed unto me* (quoth *Hugh*) and then covering his eyes with his hands, and laying down his head on the cushion, untill the people falling into a laughter, awakened him; he started up, and cryed out, *Now I have it by Revelation, now I shall tell you, This Army must root up Monarchy, not only here, but in* France, *and other Kingdoms round about; this is to bring you out of* Ægypt: *This Army is that corner stone cut out of the Mountain, which must dash the powers of the earth to pieces.* But it is objected, *The way we walk in is without president; what think you of the Virgin* Mary? *was there ever any president before, that a Woman should conceive a Childe without the company of a Man? this is an Age to make examples and presidents in.*

46. The Councel of War vote a Toleration all Religions.

Decemb. 25. The Councel of War voted a *Tolleration of all Religions*; you see they vote like States-men, as well as their Parliament.

47. The Common Councel petion against *Skipons* additional Ordinance in vain.

About this time, a Committee of Common-Councel-men came complaining to the House of *Skippons* additional Ordinance, *That none should Elect or be Elected, or execute the place of Lord Mayor, Alderman, Aldermans Deputy, Common-Councelman, &c. that had signed the Petition for a Personal Treaty, &c.* because they found the City generally ingaged in the said Petition; so that they could not finde men enough to Elect, or be Elected: Whereupon it was referred to a Cummittee to think of a remedy worse than the disease, as it proved afterwards You see the petitioning for a *Personal Treaty* was so universal and publick that it could not be carried on by any private design in Conventicles and corners; as are all the bloody *Petitions for justice, justice against capital Delinquents, and the most High*, which being penned and solicited by the Army, or sectary Committee-men, and subscribed and prosecuted by some few beggerly Schismaticks without Cloaks in the *Names of whole Counties* (whom they had the impudence to belie) were entertained in state; and they, and that wel-affected County (though they abhorred the villany) thanked for their pains.

* 48. *Somersetshire* encouraged by the House to associate all the well-affected, *i.e.* all the Anarchists and Cheaters.

* 25. *Decem.* The House voted a Letter to be sent by way of encouragement to the County of *Somerset*, *to go on with settling* their

their association wtih the well-affected, and forces of the Counties adjacent; this is to associate and arm all the Schismaticks, Committee-men, guilty and deserate persons, Antimonarchists, and Anarchists, against all the peaceable and honest men of the Kingdome.

26. *Decem.* Mr. *Pryn* sent a Letter to the General, demanding his liberty, and seconded it with a Declaration, as followeth: 49. Mr. *Pryns* Letter to the General, demanding his liberty.

Mr. *Pryn's* Demand of his Liberty to the Generall, *Decem.* 26. 1648. with his Answer thereto. And his Declaration thereupon.

For the Honourable Lord Fairfax, *Generall of the present Army.*

THese are to acquaint your Lordship, That I being a Member of the Commons House of Parliament, a Free-man of *England*, a great Sufferer for, and an Assertor of the Subjects Liberties against all Regal and Prelatical tyranny, and no way subject to your own, your Councel of Wars, or Officers military power or jurisdiction, going to the House to discharge my duty on the 6. of this instant *Decem.* was on the stairs next the Commons House door, forcibly kept back from entring the House, seized on, and carried away thence (without any pretext of lawful Authority thereto affigned) by Colonel *Pride*, and other Officers and Souldiers of the Army under your Command. And notwithstanding the Houses demand of my enlargement both by their Sergeant and otherwise; ever since unjustly detained under your Marshals custody, and tossed from place to place, contrary to the known Priviledges of Parliament, the Liberty of the Subject, and fundamental Laws of the Land, which you are engaged to maintain against all violation. And therefore do hereby demand from your Lordship my present enlargement, and just liberty, with your Answer hereunto. 50. Mr. *Pryns* Declaration seconding his said Letter.

From the Kings-head *in the* Strand,
Decem. 26. 1648. *William Pryn.*

This was delivered to the Generals own hands at his House in *Queen-street*, about three of the clock, the same day it bears

date, by Dr. *Bastwick*; Who returned this Answer by him, upon the reading thereof:

THat he knew not but Mr. Pryn *was already released, and that he would send to his Officers to know what they had against him.*

Who it seems act all things without his privity, and steer all the Armies present counsels and designs according to their absolute wills.

The Publick Declaration and Protestation of *William Pryn* of *Linolns-Inne*, Esquire; Against his present Restraint, and the present destructive Councels, and Jesuitical proceedings of the Generall, Officers, and Army.

I William Pryn, *a Member of the House of Commons, and Freeman of* England, *who have formerly suffered 8 years Imprisonment (four of them close, three in exile) three Pillories, the loss of my Ears, Calling, Estate, for the vindicating of the Subjects just Rights, and Liberties against the arbitrary tyranny and injustice of King and Prelats, and defence of the Protestant Religion here established, spent most of my strength and studies in asserting the Peoples just freedom, and the power and priviledges of Parliament, against all Opposers, and never received one farthing (by way of damages, gift, or recompence) or the smallest benefit or preferment whatsoever, for all my sufferings and publick services; Do here solemnly declare before the most just and righteous God of Heaven and Earth (the Searcher of all hearts) the whole Kingdom,* English *Nation, and the World, that having according to the best of my skill and judgement, faithfully discharged my trust and duty in the Commons House upon real grounds of Religion, Conscience, Justice, Law, Prudence, and right reason, for the speedy and effectual settlement of the peace and safety of our three distracted, bleeding, dying Kingdoms, on Monday* Dec. 4. *I was on Wednesday morning following (the 6 of this instant) going to the House to discharge my duty, on the Parliament stairs next the Commons door, forcibly seized upon by Col.* Pride, *Sir* Hardress Waller, *and other Officers of the Army (who had then beset the House with strong Guards, and whole Reg. of Horse and Foot) haled violently thence into Queens Court, notwithstanding my Protestation of*

breach

breach of priviledge, both as a Member and a Freeman, by a meer uſurped tyrannical power, without any lawful Authority, or cauſe aſſigned, and there forcibly detained Priſoner (with other Members there reſtrained by them) notwithſtanding the Houſes double demand of my preſent enlargement to attend its ſervice by the Sergeant, and that night (contrary to faith and promiſe) carried Priſoner to Hell, and there ſhut up all night (with 40 other Members) without any lodging or any other accommodations, contrary to the known Priviledges of Parl. the fundamental Laws of the Realm, and Liberty of the ſubject, which both Houſes, the 3 Kingdoms, the General with all Officers and Souldiers of the Army, are by ſolemn Covenant and duty obliged inviolably to maintain. Since which I have, without any lawful power or authority been removed and kept priſoner in ſeveral places, put to great expences, debarr'd the liberty of my perſon, calling; and denied that hereditary freedome which belongs to me of right, both as a Freeman, a Member, an eminent ſufferer for the publick, and a Chriſtian, by theſe who have not the leaſt ſhadow of authority or juſtice to reſtrain me, and never yet objected the leaſt cauſe for this my unjuſt reſtraint.

I do therefore hereby publickly proteſt againſt all theſe their proceedings, as the higheſt uſurpation of an arbitrary and tyrannical power, the greateſt breach of faith, truſt, Covenant, priviledges of Parl. and moſt dangerous encroachment on the Subjects liberties and Laws of the Land, ever practiſed in this Kingdom by any King or Tyrant, eſpecially by pretended Saints, who hold forth nothing but juſtice, righteouſneſs, liberty of conſcience, and publick freedom in all their Remonſtrances, whiles they are triumphantly trampling them all under their armed iron feet. And do further hereby appeal to, & ſummon them, before all the Tribunals and powers in heaven and earth for exemplary juſtice againſt them, who cry out ſo much for it againſt others leſs tyrannical, oppreſſive, unjuſt, and ſedifragus to God and men than themſelves. And do moreover remonſtrate, that all their preſent exorbitant actings againſt the King, Parl. preſent Government, and their new modeld repreſentative, are nothing elſe but the deſigns & projects of Jeſuits, Popiſh Prieſts and Recuſants (who bear chief ſway in their Councels (to deſtroy and ſubvert our Religion, Laws, Liberties, Government, Magiſtracy, Miniſtry, the preſent and all future Parl. the King, his Poſterity, and our 3 Kingdoms, yea, the General, Officers,

and

and Army themselves, and that with speedy and inevitable certainty, to betray them all to our forreign Popish Enemies, and give a just occasion to the Prince and Duke, now in the Papists power, to alter their Religion, and engage them and all forreign Princes and Estates to exert all their power to suppress and extirpate the Protestant Religion and Professors of it through all the world, which these unchristian, scandalous, treacherous, rebellious, tyrannical, Jesuitical, disloyal, bloody present Councels, and exorbitances of this Army of Saints, so much pretending to piety and justice, have so deeply wounded, scandalized, and rendred detestable to all pious, carnal and moral men of all conditions. All which I am, and shall alwayes be ready to make good before God, Angels, Men, and our whole three Kingdoms in a free and full Parliament, upon all just occasions? and seal the truth of it with the last drop of my dearest blood.

In witness whereof, I have hereunto subscribed my Name; at the Sign of the *Kings-head* in the *Strand*, *Decem.*26.1648.

William Pryn.

51. The Councel of War forbid all state and ceremony to the King. From *Dec.*25 to 1. *Jan.* Num.283.

27. *Decem.* The Councel of War (who manage the business in relation to the King, saith the *Diurnal*) ordered, *That all state and ceremony should be forborn to the King, and his Attendants lessened*, to mortifie Him by degrees, and work Him to their desires.

52. *Cromwels* Sp. in the House when it was first propounded to try the King.

When it was first moved in the House of Commons to proceed capitally against the King, *Cromwel* stood up and told them, *That if any man moved this upon design, he should think him the greatest Traytor in the world, but since providence and necessity had cast them upon it, he should pray God to bless their Councels, though he were not provided on the sudden to give them counsel*: This blessing of his, proved a curse to the King.

53. The Ordinance for electing Com. Councel-men confirmed.

28. *Decem.* was brought into and read in the House an Ordinance, explaining the former Ordinance for Electing Common-Councel-men, which confirmed the former Ordinance. It was referred back again to the said Committee to consider of taking away the illegal (as they please to miscall them) Oaths of Allegiance, Supremacy, and other Oaths usually administred to Officers, Free-men, &c. of the City.

The

The 28. *Decem. Tho. Scot* brought in the Ordinance for Trial of the King, it was read and recommitted three ſeveral times, and the Commiſſioners Names inſerted conſiſting of diverſe Lords, Commons, Aldermen, Citizens, Country Gentlemen, and Souldiers (that the more perſons of all ſorts might be engaged in ſo damnable and treaſonable a deſign) and becauſe this Ordinance, and the proceedings thereupon had no foundation in Divinity, Law, Reaſon, nor Practice: The Commons to give it a foundation and ground from the anthority of their Votes, declared as followeth: 54. The Ordinance for Trial of His Majeſty paſſed the Commons.

Reſolved, &c. *That the Lords and Commons aſſembled in Parliament, do declare and adjudge, That by the fundamental Laws of the Realm, it is Treaſon in the King of* England *for the time to come to levy War againſt the Parliament and Kingdome of* England. *Diurnal* from 1. *Jan.* to the 8. of *Jan.* 1648 Numb. 286.

So together with this declaratory Vote the ſaid Ordinance was carried up to the Lords by that Renegado Lord *Gray* of *Grooby*, *Jan.* 2. 1648. The Lords met that day far more than ordinary, ſixteen in number, and promiſing to ſend an Anſwer by Meſſengers of their own. 55. And ſent up to the Lords.

The firſt Queſtion ſtarted by ſome Lords (who had rather have had a thinner Houſe) was, *Whether it ſhould be preſently debated?* which paſſed Affirmatively. The firſt Debate was upon the ſaid Declaratory Vote; The Earle of *Mancheſter* told them, *The Parliament of* England, *by the fundamental Laws of* England, *conſiſted of three Eſtates*, 1. *King*, 2. *Lords*, 3. *Commons*; *the King is the firſt and chief Eſtate, He calls and diſſolves Parliaments, and confirms all their Acts; and without him there can be no Parliament, therefore it is abſurd to ſay, The King can be a Traitour againſt the Parliament.* The Earle of *Northumberland* ſaid, *The greateſt part* (at leaſt twenty to one) *of the people of* England, *were not yet ſatisfied, whether the King levied War firſt againſt the Houſes, or the Houſes againſt Him? And if the King did levie War firſt againſt the Houſes, we have no Law to make it Treaſon in Him ſo to do: And for us to declare Treaſon by an Ordinance, when the matter of fact is not yet proved, nor any Law extant to judge it by, is very unreaſonable:* So the Lords caſt off the Debate, and caſt out the Ordinance, and adjourned for ſeven dayes. 56. And Debated.

Jan. 3. The zealots of the Commons were very angry at the Lords, 57. The Zealots of the H. of Com. offended wit hthe Lords for caſting forth the Ordin. for Trial of the King.

Lords, and threatned to clap a Pad-lock on the Door of their House; but at last they sent up some of their Members to examine the Lords Book, and see what they have done, who brought word back, *that their Lordships had passed two Votes; 1. That they do not concur to the said Declaratory Vote. 2. That they had rejected the Ordinance for Trial of the King.*

58. Votes passed by them thereupon.

Hereupon, the Commons resolved to rid their hands of King and Lords together; and presently they voted; *That all Members of the House of Commons, and others appointed by order of that House, or Ordinances of both Houses of Parliament, to act in any Ordinance wherein the Lords are joyned, shall be impowred and enjoyned to sit, and act, and execute in the said several Committees of themselves, notwithstanding the House of Peers joyn not with them therein.* Upon the debate many hot-brain'd men insisted upon it, *That the Lords who rejected the Ordinance should be themselves Impeached for favouring the Grand Delinquent of* England (you see the King was likely to have much justice, when his Judges must either condemn Him, or be condemned) others thought it more prudence to touch their Priviledges, and let alone their Persons.

Die Jovis, 4. *Jan.* 1648. The Commons passed these 3. Votes,

A question in Divinity voted in Parliament never agreed to by Divines. This we finde *de facto*, in the subversion of our Religion, Laws, Liberties & Properties, though not *de jure*. You see that since both Houses ravished the Supremacy from the King, and a petty Faction from the Houses, our Laws are first shrunk into Arbitrary Ordinances of both Houses, and now into Orders of a remaining Faction of one House.

1. *That the People* (that is, their own faction, according to their said Principle) *are under God the original of all just power.*

2. *That the Commons of* England *in Parliament assembled, being chosen by, and representing the People, have the Supreme power of this Nation.*

3. *That whatsoever is enacted or declared for Law by the House of Commons assembled in Parliament, hath the force of Law*; and all the people of this Nation are concluded thereby, although the consent or concurrence of the King or House of Peers be not had thereunto. This chain-shot sweeps away King, Lords, Laws, Liberties, property, and fundamental Government of this Nation at once; and deposites all that is, or can be near or dear unto us *in scrinio pectoris*, in the bosomes and consciences of 50 or 60 factious covetous Saints, the dregs and lees of the House of Commons, sitting and acting under the power of an Army; and yet the House of Commons never had any *Power of Judica-*

ture

ture, nor can legally administer an Oath; but this in pursuance of their aforesaid Principle, *That they may passe through any form of Government to carry on their design*: The *Diurnal* tells you, *there was not a Negative Voice*: this shews under what a terror they sit, when in (things so apparently untrue) no man durst say, *No*: so the said Declaratory Vote and Ordinance for Trial of his Majesty (by a Court Martial, if the *Diurnall* speak true, and yet the King no Prisoner of War) was passed onely in the name and by the Authority of the Commons: Notwithstanding, the Order of the House, *That the Clerk should not deliver a Copy of the said Ordinance to any man*, I here present the Reader with a Copy thereof.

*An Act of Parliament of the House of Commons for Tryall of *Charls Stuart* King of *England*.

59. The Act for Trial of the King.

WHereas it is notorious that Charles Stuart *the now King of* England, *was not content with the many incroachments which his Predecessors had made upon the People in their Rights and Freedom, hath had a wicked design to subvert the ancient & fundamental Laws and Liberties of this Nation, and in their place to introduce an Arbitrary and Tyrannical Government, and that besides all evill ways to bring His Design to pass, he hath prosecuted it with fire and sword, levied and maintained a Civil War in the Land, against the Parliament and Kingdom; whereby this Country hath been miserably wasted, the publick treasure exhausted, Trade decayed, thousands of people murdered, and infinite of other mischiefs committed, for all which high offences the said* Charls Stuart *might long since have been brought to exemplary and condign punishment.*

Quare, Whether the Faction do not transfer these Crimes from themselves to the King, with many others.

Whereas, also the Perliament well hoping that the restraint and imprisonment of his Person, after it had pleased God to deliver him into their hands, would have quieted the distempers of the Kingdom, did forbear to proceed judicially against him, but found by sad experience that such their remissness served onely to encourage him, and his Complices in the continuance of their evill practices, and raising new Commotions, Rebellions, and invasions: For prevention of the like and greater inconveniencies, and to the end no chief Officer or Magistrate may hereafter presume Traiterously and maliciously

to imagine or contrive the enslaving or destroying of the English Nation, and to expect impunity. Be it enacted and ordained by the Commons in this present Parliament assembled, and it is hereby enacted and ordained, that

Thomas Lord *Fairfax*, Generall.
Oliver Cromwel. Liev. General.
Com. Gen. *Ireton*.
Major Gen. *Skippon*.
Sir *Hardresse Waller*.
Col. *Valent. Walton*.
Col. *Thomas Harrison*
Col. *Edward Whalley*
Col. *Thomas Pride*.
Col. *Isaac Ewer*.
Col. *Rich: Ingolsby*.
Sir *Henry Mildmay*.
Sir *Tho. Honywood*.
Thomas Lord *Grey*.
Philip Lord *Lisle*.
Will: Lord *Munson*.
Sir *John Danvers*.
Sir *Tho: Maleverer*.
Sir *John Bourcher*.
Sir *James Harington*
Sir *William Brereton*
Robert Wallop, Esq.
Wil. Henningham, Esq.
Isaac Pennington, Alderman.
Thomas Atkins, Ald:
Col. *Rowland Wilson*
Sir *Peter Wentworth*.
Col. *Henry Martin*.
Col. *William Purefoy*
Col. *Godfrey Bosvill*
John Trenchard, Esq.
Col. *Harb. Morley*.
Col. *John Berkstead*.
Col. *Mat. Tomlinson*
John Blackstone, Esq.
Gilb. Millington, Esq.
Sir *Will: Constable*.
Col. *Edward Ludlow*.
Col. *John Lambert*.
Col. *Jo. Hutchingson*
Sir *Arth: Hasterigg*.
Sir *Michael Livesley*.
Rich: Salaway, Esq.
Hump: Salaway, Esq.
Col. *Rob: Tichborn*.
Col. *Owen Roe*.
Col. *Rob. Manwaring*
Col. *Robert Lilburn*.
Col. *Adrian Scroop*.
Col. *Richard Dean*.
Col. *John Okey*.
Col. *Robert Overton*.
Col. *John Harrison*.
Col. *John Desborough*
Col. *William Goffe*.
Col. *Rob. Duckenfield*
Cornel. Holland. Esq.
John Carne, Esq.
Sir *Will Armine*.
John Jones, Esq.
Miles Corbet, Esq.
Francis Allen, Esq.
Thomas Lister, Esq.
Ben: Weston, Esq.
Peregrin Pelham, Esq.
John Gourdon, Esq.
Serj. *Francis Thorp*.
John Nut, Esq.
Tho: Challoner, Esq.
Col. *Algern Sidney*.
John Anlaby, Esq.
Col. *John Moore*.
Richard Darley, Esq.
William Say, Esq.
John Allured, Esq.
John Fagge, Esq.
James Meltrop, Esq.
Sir *Will: Roberts*.
Col. *Francis Lassels*.
Col. *Alex: Rixby*.
Henry Smith, Esq.
Edmond Wilde, Esq.
James Chaloner, Esq.
Josias Barnes, Esq.
Dennis Bond, Esq.
Hump. Edwards, Esq.
Greg. Clement, Esq.
John

John Fray, Esq.
Tho: Wogan, Esq.
Sir *Greg: Norton.*
Serj. *John Bradshaw.*
Col. *Edw: Harvey.*
John Dove, Esq.
Col *John Venn.*
John Foulks, Ald.
Thomas Scot, Ald.
Tho: Andrews, Ald.
William Cauley, Esq.
Abraham. Burrel, Esq.
Col. *Anthony Stapely*
Roger Gratwick, Esq.
John Downs, Esq.
Col. *Thomas Horton.*
Col. *Tho: Hammond.*
Col. *George Fenwick.*
Serj. *Robert Nichols.*
Robert Reynolds, Esq.
John Lisle, Esq.
Nicholas Love, Esq.
Vincent Potter.
Sir *Gilbert Pickering.*

John Weaver, Esq.
John Lenthall, Esq.
Sir *Edward Baynton.*
John Corbet, Esq.
Thomas Blunt, Esq.
Thomas Boone, Esq.
Augus. Garland, Esq.
Augus. Skinner, Esq.
John Dickswel, Esq.
Col. *Geo. Fleetwood.*
Simon Maine, Esq.
Col. *James Temple.*
Col. *Peter Temple.*
Daniel Blagrave, Esq.
Sir *Peter Temple.*
Col. *Thomas Wayte.*
John Brown, Esq.
John Lowry, Esq.

Mr. *Bradshaw*, nominated President.

Counsellors assistant to this Court, and to draw up the Charge against the KING, are,
Doctor *Dorislaus.*
Master *Steel.*
Master *Aske.*
Master *Cooke.*

Serjeant *Dandy*, Serjeant at Arms.

Mr. *Phelps*, Clerk to the Court.

Messengers and doorkeepers are,
Master *Walford.*
Master *Radley.*
Master *Paine.*
Master *Powel.*
Master *Hull.*
And Mr. *King*, Cryer.

shall be, and are hereby appointed Commissioners and Iudges for the hearing, trying, and judging of the said Charles Stuart; *and the said Commissioners, or any* 20 *or more of them shall be, and are hereby Authorized and constituted an High Court of Justice, to meet at such convenient times and place as by the said Commissioners or the major part, or* 20 *or more of them under their hands and seals shall be appointed and notified by publick Proclamation in the great Hall, or* Palace-yard *of* Westminster, *and to adjourn from time to time, and from place to place, as the said High Court or the major part thereof meeting shall hold fit, and to take order for the charging of him the said* Charles Stuart *with the Crimes above mentioned, and for the receiving his*

These wise men of *Gotham* could not tell whether Witnesses upon oath were necessary upon Trials of life & death. But (I confess) that upon the defensive part, upon Indictments, Witnesses upon oath were not to be heard against the King, much more Accusers of the King.

Personal Answer thereunto, and for examination of Witnesses upon oath (if need be) concerning the same; and thereupon or in default of such Answer to proceed to final Sentence according to Justice, and the merit of the Cause to be executed speedily and impartially. And the said Court is hereby Authorized and required to chuse and appoint all such Officers, Attendants, and other circumstances as they, or the major part of them shall in any sort judge necessary or useful for the orderly and good managing of the Premises; and Thomas *Lord* Fairfax * *the General, with all Officers of justice, and other wel-affected Persons are hereby authorized and required to be aiding and assisting unto the said Commissioners in the due execution of the trust hereby committed unto them, provided that this Ordinance, and the Authority hereby granted do continue for the space of one Month from the Date of the making hereof, and no longer.*

* The General is no Officer of justice. All well-affected Persons tag and rag invited to assist in a Tumultuary way to destroy the King, if need had been, that is, all Antimonarchists.

60. A new Great Seal to be made.

But at last they stumbled at a rub not foreseen; they could not use the old Great Seal against Him, because it was the Kings Great Seal (no more could they use any of our Laws, Courts, or Judges against Him, because they are all the Kings) the Sculpture upon it is *Carolus Dei Gratia*, neither would the Grace of God square with their poceedings, they must therefore make a new Great Seal; but that was long a making, and their fingers were in the fire, they therefore proceeded without any Com-Commission under Seal, only upon the said Ordinance, and every missioner set his own hand and seal to the publick instruments of their proceedings; what need ceremonies when men are resolved upon the substance?

61. The Jews petition the Council of War to have the Stat. of their bauishment repealed.

About this time the Hebrew Jews presented a Petition to the uncircumised Jews of the Councel of War, *That the Statute of Banishment against them may be repealed, and they re-admitted to a Synagogue and Trade amongst us*: They offer for their re-admission, S. *Pauls* Church, and the Library at *Oxford*, 500000 l. but 700000 l. demanded: *Hugh Peters* and *Harry Martin* solicite the business. Upon this occasion was published this Paper ensuing.

The

62. A Paper published upon occasion of the Jews Petition.

* The last damnable Design of *Cromwel* and *Ireton*, and their Junto or Cabal; intended to be carried on in their General Councel of the Army, and by their Journey-men in the House of Commons, when they have engaged them desperately in sin, past all hope of Retreat by murthering the King.

Major White, *a Member of the Army, long since at* Putney *foretold, That shortly there would be no other power in* England, *but the power of the Sword; and* Will. Sedgwick *in his Book called* [Justice upon the Armies Remonstrance] *saith, The Principle of this Army is, to break the Powers of the Earth to peeces; and* John Lilburn *in his* [Plea for Common Right] *p.* 6. *saith, The Army by these extraordinary proceedings, have overturned all the visible Supreme Authority of this Nation, that is, they have, and will, by seizing upon the Members of Parl. dissolving it, and setting up a new invented Representative, and bringing the King to capital punishment, and dis-inheriting his Posterity, subvert the Monarchical Government, and Parliaments of this Kingdome, the Laws and Liberties of the People, and so by bringing all to Anarchy and confusion, put the whole Government of the Land under the Arbitrary power of the Sword.*

In order to which, they have, and will overturn the Government of the City of London *by a Lord Mayor and Aldermen, and govern it by Commissioners, and a Schismatical Common Councel of* Anabaptists *illegally chosen, and deprive them of their Charter of Incorporation and Franchises; and this shall be a leading case to all the Corporations of* England.

Their next Design is, to plunder, and disarm the City of London, *and all the Country round about; thereby to disable them to rise when the Army removes, but not to the use of the Souldiers (although they greedily expect the first Week in* February *the time appointed) from whom they will redeem the plunder at an easie rate; and so sell it in bulk to the* Jews, *whom they have lately admitted to set up their Banks and Magazines of Trade amongst us, contrary to an Act of Parliament for their banishment; and these shall be their Merchants to buy off for ready money (to maintain such Wars as their violent pro-*

proceedings will inevitably bring upon them)not only all ſequeſtred and plundred goods,but alſo the very bodies of Men,Women,and Children, whole Families taken Priſoners for ſale,of whom theſe Jewiſh Merchants ſhall keep a conſtant traffick with the Turks, Moors, *and other Mahometans; the* Barbadus,*and other Engliſh Plantations being already cloyed with* Welſh,Scottiſh, Colcheſter, *and other Priſoners impoſed by way of Sale upon the Aventurers; and this is the meaning of* Hugh Peters *threat to the* London *Miniſters, That if another War followed, they will ſpare neither Man, Woman, nor Child: For the better carrying on of which Deſign, the ſaid Cabal, or Junto, keep a ſtrict correſpondency with* Owen Roe Oneale, *the bloody,Popiſh, Antimonarchical Rebel in* Ireland, *and the Popes Nuntio there. The Antimonarchical Marqueſs of* Argyle *in* Scotland;*the* Pariſian,Norman *and* Picardy, *Rebels in* France, *and the Rebel King of* Portugal. *If danger be not held ſo cloſe to your eyes that you cannot diſcern it, look about you* Engliſh. *But this Kingdome is not to be ſaved by men that will ſave themſelves nothing but a private hand, and a publick ſpirit can redeem it.*

63. Mr. *Pryns* ſecond Letter to the General.

The 3. *Jan.* 1648. Maſter *Pryn* ſent a Letter to the General, demanding what kinde of Priſoner, and whoſe he was? as followeth:

* *To the Honourable,* Thomas *Lord* Fairfax, *General of the preſent Army, theſe preſent.*

My Lord,

IT is now a full Months ſpace ſince I (with other Members of the Commons Houſe) have been forcibly apprehended and kept Priſoner by ſome of your Officers and Marſhal, againſt the Priviledges of Parliament, the Liberty of the Subject, the Laws and Statutes of the Realm, and all Rules of juſtice, conſcience, and right reaſon; without the leaſt ſhadow of Authority, or any cauſe at all yet made known to me, of which (were there any) neither God nor man, ever yet made your Lordſhip or your Officers, Judges. I therefore deſire to know from your Lordſhip, what kinde of Priſoner I am? and whoſe? If a Priſoner of peace, neither

neither your Lordſhip, nor your Officers are any Juſtices of Peace, or Civill Magiſtrates in this place, to reſtrain me for any civill crime were I guilty of it; much leſs without proof or hearing, in caſe I were no Member: but being neither guilty nor accuſed of any ſuch crime, and a Member too, no Magiſtrate can, nor ought to impriſon me upon any pretext, at leaſt without the Houſes licence firſt obtained. If a Priſoner of War, which I cannot probably be, being never in Arms, and apprehended near the Commons Houſe door, going peaceably and unarmed thither to diſcharge my duty; then you, and your Officers thereby acknowledge, That you have levied War againſt the Parliament, and its Members: and what capital offence this is, and what a puniſhment it deſerves, I need not inform your Lordſhip, or your Councel, who have for this very crime, condemned and ſhot ſome to death, as Traytors; and demanded ſpeedy juſtice and execution for it upon the King himſelf.

I have but one thing more to trouble your Lordſhip with, and that is to demand whoſe Priſoner I am? having yet ſeen no Warrant nor Order from your ſelf, or your Officers, for my reſtaint, though I have oft demanded it of your Marſhal: If your Lordſhips Priſoner, there appearing yet no legall Authority, cauſe, or Warrant, for my reſtraint; I muſt then crave ſo much juſtice from your Lordſhip (being but a Subject, and not yet paramount all Laws) to order your Autourney to give an appearance for you in the *Kings Bench*, the firſt return of the next Tearm, to an action of falſe impriſonment, for this my unjuſt reſtraint; which I intend (by Gods aſſiſtance) effectually to proſecute. If your Officers Priſoner onely, and not yours, which I conceive, who yet abuſe your name and authority herein, though it be a rule in Law and Divinity too, *Qui non prohibet malum quod poteſt, jubet*; yet I ſhall be ſo juſt, as to ſet the ſaddle upon the right Horſe, and commence my action only againſt ſuch of your Officers, who have been moſt active in my impriſonment, for damage and reparations; which if there be any juſtice remaining under Heaven, I doubt not but I ſhall recover in Gods due time, in this publick cauſe, which ſo highly concerns the honor, freedom, and priviledges of Parliament, and Subjects Liberties; for defence and maintenance whereof, as I have hitherto ſpent my

ſtrength

ſtrength, adventured my life, body, liberty, and eſtate; ſo ſhall I now again engage them all, and all the friends and intereſts I have in heaven and in earth, rather than they ſhal ſuffer the leaſt diminution, prejudice or eclipſe by my ſtupid patience under this unjuſt captivity; though I can as willingly forgive and put up private injuries, when the publick is not concerned as any man. All which, I thought meet to inform your Lordſhip of, whom I am heartily ſorry to ſee ſo much diſhonored, abuſed and miſled by raſh ill-adviſed Officers, and dangerous, deſtructive (and I dare ſay, Jeſuitical) Councils, to the Parliaments diſſipation, the Kingdoms prejudice, *Irelands* loſs, moſt good mens and Miniſters grief, your beſt Friends aſtoniſhment, your enemies and the Papiſts triumph, our Religions Scandal, and your own diſhonour: which I beſeech you as an Engliſhman, a Chriſtian, a Profeſſor of piety and Religion, a Souldier, a General, to lay ſadly to your heart, as the earneſt requeſt of

From my Priſon at the Sign of the *Kings Head* in the *Strand*, 3. *Jan.* 1648.

Your Lordſhips faithful Friend and Monitor

William Pryn

**An Additional Poſtſcript.*

WE read, *Luke* 3. 14. that when the Souldiers demanded of *John Baptiſt*, ſaying, and *What ſhall we do?* he ſaid unto them, *Do violence to no man*, (or put no man in fears,) *neither accuſe any falſly, and be content with your allowance*: not impriſon, depoſe, or murder Kings, pull down Parliaments, impriſon, violently ſhut out, and drive away Parliament men, and then lay all falſe acuſations and ſcandals upon them, to colour your violence, ſubvert Kingdoms, alter States, break all bonds of Laws, Oaths, Covenants, Obligations, Engagements to God and Men; uſurp all Civil, Military and Eccleſiaſtical power, and the Kings Royal Palaces into your own hands, as ſupreme Lords and Kings; raiſe what new Forces, and levie what new Taxes you pleaſe, take up what Free-quarters and Houſes, ſeize and plunder what publick Treaſuries & monies you

pleaſe

pleaſe, without Commiſſion or Authority, obey neither God nor Man, neither Parliament, nor Magiſtrate, and be content with nothing, but alter, and ſubvert all things. Theſe are Saint *Peters* new Doctrines and Revelations, to our Officers and Souldiers now, and thoſe Jeſuits who lurk amongſt them, not *John the Baptiſt*, whoſe Canonical advice is now rejected as Apocryphal, even among the Army Saints, who prefer every *ignis fatuus*, though from *Doway* or *Rome* it ſelf, before this burning, and ſhining old light, and are guided onely by a new minted law of pretended providence or neceſſity of their own forging, and not by the revealed will and law of God, the ſacred light whereof their preſent works of darkneſs dare not approach, leſt they ſhould be reproved and condemned by them. But ſome 43 Actions of falſe impriſonment by the impriſoned, and 150 Actions of the Caſe by the ſecluded Members, brought againſt theſe domineering lawleſs Officers and Grandees of the Army, wherein good damages will be recovered, and ſome 12 Indictm. of High Treaſon againſt them for laying violent hands upon the Kings Perſon, and the Members, and levying War againſt the Parliament, will teach them more obedience, humility, and modeſty, than either *John Baptiſt*, Saint *Paul*, Saint *Peter*, or Saint *Peters* will do; and be like *Gideon* thorns and briars of Diſcipline to theſe men of *Succoth*, with whom no fair means will prevail; who might have learned ſo much law and juſtice from a Heathen Souldier and Governour *Feſtus*, Act. 25. 27. *It ſeemeth unto me unreaſonable to ſend* (much more to commit) *a Priſoner, and not withall to ſignifie the crimes laid againſt him*; and come ſhort of that ingenuity of the Heatheniſh chief Captain who ſeized upon *Paul*, thereby to appeaſe the Tumult at *Jeruſalem*, Act. 22. 27, 29. who as ſoon as ever *Paul* told him, *he was a Roman, and Free-born; then ſtreight-way they departed from him who ſhould have examined him; and the chief Captain alſo was affraid, after he knew that he was a* Roman, *and becauſe he had bound him.* And ſhould not falſe impriſoning of a Parliament-man, and Free-born Engliſh-man be as formidable to our chief Captains (being a Chriſtian, I ſay, ſworn and vowed to defend the Houſes priviledges, and Members perſons) as the Impriſonment of a *Roman* was to this chief Captain, and they as ingenious and juſt

as he, who shall rise up in judgement against them, and condemn them at the last.

I shall close up all with this observation, That as the most glorious Angels in Heaven, when they fell (through pride and ambition, as most conceive) became the very foulest Devils in Hell; so the most resplendent seeming hypocritical Saints when they fall through the like sins, and have power in their hands, become the most incarnate Devils, and Monsters of treachery and tyranny upon earth, exceeding Turks and Pagans therein, of which we have now sad experience in our Army-Saints, who every day aggravate, and yet justifie their impieties and exorbitances, 2 *Chron.*28.11. *Now hear me therefore, and deliver the Captives again, which ye have taken Captives of your Brethren; for the fierce wrath of God is upon you.*

*Will.*Pryn.

64. Another forg'd Letter endeavour'ed to be fastned upon Sheriff *Brown.*

The Saints having nothing to say against Major Gen. *Brown* (unless they should accuse him for being true to King, Parliament, City, and Kingdom, and to all the first declared principles of this Parliament) fell to their old trick to fasten another counterfeit Letter upon him; wherefore a Man coming to S. *James's* where he was then imprisoned) desired, in the hearing of all present to speak with him in private; Major Gen. *Brown* told him, He was not for private conference, and bad him speak openly; then the Fellow presented a Letter to him, saying, It was from the Prince; but Major Gen. *Brown* (remembring the like trick put upon him before) called for the Guard to apprehend him, when presently the Messenger threw the Letters into the fire, and the Marshal catching them out half burnt, affirmeth, He saw *Charles Prince* written upon them. Sanctified eyes may see through the spectacles of their own fantasie what they please, to accomplish their Design, and therefore they have a new principle or light (which as the 7. *May*, be added to the aforesaid 6.) that though they have no proofs nor evidence against a man, yet if in their consciences, they think him guilty, they may condem him upon the testimony of their own consciences; this is to condemn by Revelation such whose blood they desire to suck. This supposed Messenger from the Prince was seized by the Guard;

Guard, but no proceedings againſt him heard of; which argues it was but a ſnare ſet to catch the Major.

About this time (to ſecond this device) a man gallantly clothed and mounted, comes to the *Bear* in the *Strand*, gives the Hoſtler a Peece, and bids him have a care of his Horſe; then goes into the City, and (the Plot being fore-laid) was taken there with Letters ſubſcribed with the Princes name, to divers Citizens and Members againſt whom they want matter of accuſation. I hear no more of this matter yet; this is a device dormant, to be awakened hereafter, if any ſhall oppoſe the preſent actings of the Army, and their Parliament.

65. Anothermore general forgery to endanger whom the Faction pleaſe. It will be proved, that divers Witneſſes have been practiſed and tampered with againſt Mr. *Brown*, and others.

Cromwell, *Ireton*, and *Hugh Peters* have ſeveral times made it their errand to go into the City and viſit the Miniſters, giving them threatning Admonitions, *not to preach any thing againſt the Actings of the Army and their Parliament:* But *Hugh* acted his part above them all, he took ſome Musketiers with him to the houſe of Mr. *Calamy*, and knocking at the door, a Maid asked, *Whom he would ſpeak with?* he told her, *with her Maſter*: ſhe *asked his name?* he replied, Mr. *Hugh Peters*, the Maid going up the ſtairs to acquaint her Maſter (who was above ſtairs in conference with ſome Divines) over-heard *Peters* ſay to the Souldiers, *The very name of* Peters *will fright them all*: *Peters* being called up the ſtairs, told Mr. *Calamy*, *He was commanded by the Generall to warn him to come before him*: Mr. *Calamy* (leaving *Peters* vapouring and canting Religion and non-ſenſe to the reſt of the Divines) ſlipt down ſtairs and went to the General to know his pleaſure, telling him, *He had been ſummoned before him by* Hugh Peters; the General ſaid, *Peters was a Knave, and had no ſuch direction from him.*

66. *London*-Miniſters threatned. See the Miniſters of *Londons* Letter to the General, called [*A ſerious Repreſentation*] Dated *Jan.* 18. 1648.

Since this the Councel of War (finding it difficult to ſtop the Miniſters mouths) have ſundry times debated, *How to ſhut up the Churches doors in the City, for Reformation of the Church, and propagation of the Goſpel*: they have impriſoned Mr. *Canton* (a worthy Miniſter) *for praying for King* CHARLES, and threaten to try him for his life in the Upper Bench (forſooth) which all the Laws call, *the Kings Bench*; and upon their new Acts of Parliament, made by a ninth part of the Members, the ſmal remnant or Junto of the Houſe of Commons; notwithſtanding, by *the*

67. The C. of War conſider how to ſhut up the Churches doors.

Directory for publick Worship (eſtabliſhed by both Houſes) the Miniſters are enjoyned to pray for the King. It is ſaid that Monſieur *Paux* (one of the *Dutch* Agents here) hath adviſed *Cromwell, to ſtop the Miniſters mouthes by hanging up a dozen of them,* and vouches *a preſident for it in the Low Countries.*

68. The Lords ſent ſome Votes to the Commons for their concurrence.

Jan. 9. The Lords ſate again and paſſed ſome Ordinances, which they ſent down to the Commons for their concurrence, to feel their pulſe whether they would vouchſafe to take ſo much notice of them; the Commons laid them aſide after ſome expreſſions of diſdain.

69. Sergeant *Dandy* proclaimeth the ſitting of the new H. Court of Juſtice.

This day Sergeant *Dandy*, Sergeant at Arms to the Commiſſioners for Trial of His Majeſty, rode into *Weſtminſter-hall* with the Mace belonging to the Houſe of Commons upon his ſhoulder, and ſome Officers attending him, all bare, and ſix Trumpeters on horſ-back before him, Guards of Horſe and Foot attending in both the *Palace-yards*, the ſix Trumpeters ſounded on horſ-back in the middle of the Hall, and the Drums beat in the *Palace-yards*, after which a Proclamation was read aloud by Mr. *King*, one of the Meſſengers of the ſaid High Court of Juſtice to this purpoſe; To give notice, that the *Commiſſioners were to ſit to morrow, and that all thoſe that had any thing to ſay againſt* CHARLES STUART, *King of* England *might be heard.* The like was done in *Cheap-ſide*, and at the *Old Exchange.*

70. The Great Seal voted to be broken.

This day the remainder of the Houſe voted their Great Seal to be broken, in order to the making of a new one, juſtly putting the ſame affront upon their own Seal, which they had formerly put upon the Kings. Upon theſe occaſions Mr. *Pryn* (it is ſaid) publiſhed his *Memento* to the Unparliamentary Junto, therein telling the Houſe; *That being forcibly ſecluded from the Houſe by the Officers of the Armies violence, whereby he could not ſpeak his mind to them freely* in, or at *the Houſe of Commons, yet he would write his thoughts to them as private Perſons only under a force, conſulting in the Houſe without their fellow Members advice, or concurrence, about ſpeedy Depoſing and executing* CHARLES *their lawful Sovereign, to pleaſe the General, Officers, and Councel of the Army, (who have uſurped to themſelves the Supreme Authority both of King and Parliament) or rather the Jeſuits and Popiſh Prieſts among them.*

71. Mr. *Pryns Memento* to the Unparliamentary Junto.

1. By

1. By the Common Law, the *Stat.*25. *Edw.*3. and all other Acts concerning Treaſon, *It is High Treaſon for any man by overt act to compaſs the death of the King, or his eldeſt Son, though never executed*; and ſo adjudged by Parliament in the Earl of *Arundels* Caſe, 21 *Ric.*2. *Plac. Coronæ*, n.4,6,7. *Cok.* 3. *Inſt.* 4. 1. *Stamf.* Pleas of the Crown, l. 1. c. 1, 2.

2. In the Oath of Allegiance (which every man takes before he ſits in Parliament) you acknowledge him to be *lawful and rightful King of this Realm*; *and that the Pope neither of himſelf, nor by any authority of the See of* Rome, *or by any other means, with any other, hath any Power or Authority to depoſe the King*, &c.

3. Your ſelves amongſt other Members, in above one hundred Remonſtrances, Declarations, Petitions, Ordinances, &c. in the name of the Parliament have profeſſed, *You never intended the leaſt hurt, injury, or violence to the Kings Perſon, Crown, Dignity, or Poſterity; but intended to Him and His Poſterity more Honour Happineſs, Glory, and Greatneſs than ever any of His Predeceſſors enjoyed; That you would make good to the uttermoſt with your Lives and Fortunes the Faith and Allegiance you have alwayes born to him. That all Contributions, Loans, ſhould be imployed onely to maintain the Proteſtant Religion, the Kings Authority, Perſon, Royal Dignity, Laws of the Land, Peace of the Kingdome, and priviledges of Parliament. That the Forces raiſed by the Parliament were for defence of the Kings Perſon, and of both Houſes. That the Parliament will ever have a care to prevent any danger to his Perſon. That they are reſolved to expoſe their lives and fortunes for maintenance of the Kings Perſon, Honour, and Eſtate, and the power and priviledges of Parliament*, when the King taxed the Houſes for inſinuating, *That if they ſhould make the higheſt Preſidents of other Parliaments their pattern* (that is, depoſe the King) *there could be no cauſe to complain of them*; Both Houſes by two Declarations proteſted againſt it, ſaying, *That ſuch thoughts never entred, nor ſhould enter into their Loyal hearts.* Exact Collect p. 16, 19, 21, 59, 66, 83, 102 103, 118, 123, 125, 141, 142, 143, 173, 180, 195, 219, 239, 281, 307, 380, 312, 360, 376, 457. A Collect. &c. p. 13, 18, 41, 43, 44, 49, 51, 61, 64, 96, 181, 102, 340, 341, 424, 425, 499, 599, 623, 696, 806, 807, 879, Appendix p. 15. Exact Collect p. 298, 695, 696, 657, 658, 991.

4. By the Proteſtation, *They declare in the preſence of God to defend the Kings Perſon and Eſtate, and that their Armies under Eſſex and* Fairfax, *were raiſed for that purpoſe* inter alia. Collect. of all Orders, p. 8, 13, 41, 43, 44, 49, 51, 61, 64, 96, 99, 623, 696, 879.

5. By the National Covenant, *They vowed to defend the Kings Perſon and Authority in preſervation of true Religion and Liberties* Appendix p. 15.

of

of the Kingdom, and that they will all the dayes of their lives continue in this Covenant against all opposition.

6. You monopolize the *Supreme power* into your own hands, robbing both King, Lords, and the rest of your fellow Members thereof, whom you are content should be violently shut out by your Army, who have levied War against the Parliament to dissolve it; till the removal of which force, and restoring your Members with freedome and safety, you ought not to sit or Act in your Armies own doctrine in their Remonstrance, *Aug.*18. and by the Declaration and Ordinances of both Houses, *Aug.*20. 1647. Sec.21.*R.*2.*c.*12.1. *H.*4.*c.*3.31. *H.*6.*c.*1. 39.*H.*6.*c.*1. See the memorable Record, 6. *E.*3. *Parl. apud Ebor.n.*1, 2 *dorso clauso.* 6. *E.*3.*m.*4.6. *E. apud Westm. Parl.*2.*n.*1.13. *E.*3. *Parl.*2.*n.*4 and many more Rolls, *where Parliaments, when any considerable number of Members of either House were absent, refused to sit* (though under no force) *till the House were full.*

Also 15. *E.*3. n.5.17*E.*3.n. 2.6.18*E.*3.n. 1.2.3.&c.1*R.* 2.n.1.2 *R.*2. n.1. 3 *R.*2.n. 1.4.*R.*2. n.1. 5.*R.*2.Parl.1 n.1.Parl.2.n. 1.8.*H.*4.n.28

* 72. The Armies party in the Ho. approve the matter of the Co. of Officers accusatory Ans. against the secured Mem. without hearing them. See Mr. *Jo. Geeres* Ans. to that silly Sophister *Jo. Goodwin*, called, *Might overcoming right.*

7. You have neither Law nor president for what you do, *Edw.*2. *Rich.*2. were forced by *Mortimer* and *H.*4. to resign their Crowns in a formal way, one to his Son, the other to his conquering Successor, neither of them to the Parliament, and at last Deposed by a subsequent Sentence of Parliament, *as unfit to Reign*, without any formal Trial.

* *Jan.*11.1648. The House read the Answer of the General Councel of the Army, concerning the secured and secluded Members, and (as I have formerly said, without hearing what the said Members could say for themselves, approved the matter of it; whereupon the secured and secluded Members, 20. *Jan.* 1648. (with much ado) got printed their *Vindication, against the Aspersion cast upon them in the humble Answer of the General Councel of the Officers of the Army, concerning the securing and secluding of the said Members*; The sum whereof is as followeth.

* 73. The sec. and secl. Memb. Defence against the scandalous An. of the C. of W.

By the Preamble of this Answer, and by the Proposals of the 6. *Decem.* and the late Declaration and Remonstrance therein cited, it appears this Design *to break the House by force*, hath been long since plotted and contrived with action. The General Councel of the Army in their said Answer, say, *Is a course in it self irregular, and not justifiable, but by honest intentions and extraordinary necessity*; the weakness of which Answer we must examine

mine, but firſt muſt ſtate the caſe between us: *They are an Army raiſed by Ordinance of Parliament, of* 15.Febr.1644. *for defence of King and* Parliament, *the true Proteſtant Religion, the Laws and Liberties of the Kingdom, and to be from time to time ſubject to ſuch Orders and Directions as they ſhall receive from both Houſes of* Parliament: and to this end they ſtand commiſſioned by them, and receive pay from them to this day. And beſides this truſt thus lying upon them, they are under the obligation of a ſolemn Covenant, ſworn to God, *That they will in their place and callings, with ſincerity, reality, and conſtancy with their eſtates and lives, preſerve the Rights and priviledges of the* Parliament, *and the Liberties of the Kingdome, and defend the Kings Perſon and Authority in defence of the true Religion, and Liberties of the Kingdom*; they being under the ſaid truſts and Oath, march up to *Weſtminſter* (contrary to order) in a hoſtile way, forcibly ſecured, ſecluded, and drove away many of the Members; the Queſtion is, *Whether this Action be Juſtifiable upon pretence of Honeſt intentions and Neceſſity?*

Their good intentions cannot be known but by their expreſſions and actions, and they refer us to their Propoſals, Declarations, and Remonſtrances, where we finde their deſires are;

1. *To take away the Kings life.*
2. *To take away the lives of the Prince, and the Duke of* York; *at leaſt to diſ-inherit both them, and all the Kings Children.*
3. *To put a period to this Parliament.*
4. *To ſet up a new Repreſentative of their own, which takes away all* Parliaments.
5. *To have an Elective King, if any.*

Theſe are their Honeſt intentions for publick good, which muſt come in to juſtifie their waging War againſt their Maſters this Parliament: To name them, is to confute them, as being apparently againſt the Laws of God, and the Land, under which they live, and which they are engaged to maintain, we ſhall produce no other Witneſſes to prove this but themſelves. On the 15. of *Novem.*1647. *The agreement of the People* (which is lower in demands than theſe which they call, *Honeſt intentions for publick good*) was condemned by the Army. The promoting it in the

Army

Army judged *mutinous* and *capital*; Col. *Rainsborough* and Major *Scot* complained of in the Houſe for appearing in it, and the Paper it ſelf adjudged by the Houſe, *deſtructive to Government, and the being of Parliaments.*

The ſecond pretence or principle is, *Extraordinary Neceſſity for the ſame end.*

To this we ſay, 1. The Army made the ſame plea of *Neceſſity* in their Remonſtrance, *June* 23. 1647. upon quite contrary grounds to what they expreſs now, and both to juſtifie the ſame violent proceedings againſt the Parliament, then when the King was ſeized upon by a party of the Army (without Order from the Houſe) and the Army advanced againſt the Parliament. They ſay in their Letter to the Houſe, *July* 8. 1647. *There have been ſeveral Officers of the Army upon ſeveral occaſions ſent to his Majeſty: The firſt, to preſent to Him a Copy of the Reprentations; and after that ſome others, to tender Him a Copy of the Remonſtrance: Upon both which, the Officers ſent were appointed to clear the ſenſe and intentions of any thing in either paper, whereupon his Majeſty might make any Queſtion.* There the Army treated with the King, yet now they offer violence to the Parliament for treating with the King. Then in their Remonſtrance, 25. *June* 1647. they ſay, *We clearly profeſs, we do not ſee how there can be any peace to this Kingdome firm and laſting without a due conſideration of, and proviſion for the rights, quiet, and immunities of His Majeſties Royal Family, and his late partakers*; now they judge the majority of the Houſe corrupt for moving one ſtep towards a peace with the King, though he hath now granted more to them than all the Armies Propoſals then demanded of Him. Thus they make this general *plea of Neceſſity* ſerve to juſtifie the conſiderations; which they are put to by making themſelves Judges of thoſe things they have no calling to meddle with; for by what Authority are they Judges of publick Neceſſity?

Turn back to ſect. 2. and ſee my Animadverſ. upon the Army, 29. *Nov* 1648. p. 4, 5, 6, 7.

The Parliament thought it not reaſonable the King ſhould be ſole Judge of publike neceſſity in caſe of ſhip-mony. Return to ſect. 18. where I ſet down ſix of their Principles.

2. This principle (*Neceſſity*) is deſtructive to all Govenment, for as the General Officer urgeth *Neceſſity* for acting againſt the Commands and perſons of his Superiours; and arrogates to be Judge of that *Neceſſity*, the Inferiour may urge the ſame *Neceſſity* (in his judgement) to act againſt the Commands of his General. The Souldiers againſt their Officers; any other

20000. men in this Kingdom againſt this Army, and this Army (as againſt this Parliament) ſo againſt any other Repreſentative or Government; and ſo *in infinitum.*

3. The Commons in Parliament are not accountable for the uſe of their truſt to any but the Houſe, being Truſtees of the People, not by Delegation, but by tranſlation; all the power of the people being transferred to them for adviſing, voting, and aſſenting (according to their judgements, not according to the judgements of thoſe that ſent them) for otherwiſe the parties electing, and thoſe elected, differing in judgement, one might proteſt againſt what the other had done, and ſo make void all Acts of Parliament. But if their Acts were valid or void at the Electors judgements, yet were the Members only accountable to them that ſent them, not to Strangers, and in no caſe to the Army, who are themſelves but in ſubordinate truſt to the Parliament for their defence.

The Commons have their Authority from the Writ of Election through their election from the people: See the Writ *Cromtons* Juriſdict. of Court, Tit. Parliamen.

4. This violence upon the Members is not only contrary to the Armies truſt, but againſt their Covenant and Proteſtation; the breach whereof being a moral evil cannot be made good by honeſt intentions and neceſſity.

The particulars of the ſaid General Officers Anſwer, upon which this pretended Neceſſity is grounded, are ſix; but we muſt firſt take notice what is ſaid from the end of the 2. page to the end of the 5. before we enter upon them; the ſumme is, *That by the endeavours of ſome old Malignant Members, and by practiſes uſed in new Elections there came in a floud of new Burgeſſes that either are Malignant or Neuters.* To this we ſay, what is done by the majority, is the Act of the whole Houſe; and what is done againſt the majority, is done againſt the whole Houſe; nor was the Ordinance for new Elections carried on by old Malignants, unleſs the major part of the Houſe were alwayes ſuch, and before the new Elections. It is not heard to ſhew that many of the Officers of the Army came in upon the laſt Elections, and were choſen by thoſe places where they are ſcarce known; upon what influence therefore they came in, let the world judge. And now for the ſaid ſix particulars objected.

In all new Elections there were 2 Independents choſen for one of any other principles, Independents were then Commiſſioners for the Great Seal, & delivered Writs to men of their own Party who had the advantage to keep them, and chuſe their own time to deliver them, and Souldiers (under colour of keeping the peace) became great Sicklers in Elections.

The Army betrayed *Ireland* by their disobedience. They would neither go for *Ireland* themselves, nor suffer others to go, 1. part. sect. 16. & 55. 57.

1. *The betraying of* Ireland *into the Enemies hands, by recalling the Lord* Lysle *from his command there, and putting the best part of the said Kingdome, and where the Parliament had the strongest footing* (Munster) *into the hands of* Inchiquine *a Native Irish; who hath since Revolted from the Parliament, hath lately united with the Irish Rebels; and with them and* Ormond *for the King.* To this we say, the Lord *Inchiquine* came in and brought *Munster* to the Parliament, and preserved their interest in *Ireland*, in all the heat of their Wars in *England*, when they had little other Interest there, and less means to relieve them; the Lord *Lysle* was not recalled from his Command there, but his Commission for Lord Lievtenant expiring, 15. *April*, 1647. on the 17. *April*, he hoysed sail for *England*; after the Lord *Lysles* return for *England*, the Lord *Inchiquine* did gallant service against the Rebels, took many strong Holds from them, and won the Battel of *Knocknoowes*, one of the greatest that ever was gotten of the Rebels. The House therefore approved of his behaviour until 3. *April*, 1648. when (the Army having led the way) the Lord *Inchiquine* (taking distaste thereat) by way of imitation, began to enter into Engagements and Remonstrances against the Parliament, (as it was then constituted) for which he made the Remonstrances, Engagements, and Declarations of the Army the Summer before, both the cause and precedent; as by the printed Relation doth appear.

This Lo. went late, carried over 160000l for which he hath not yet accounted, began a quarrel with *Inchiquiene*, & put him into discontent, and then returned See the Irish Letters and Papers to the House in Print.

2. *Their endeavours to bring in the King upon His own Tearms, without satisfaction and security to the Kingdom*, viz. *upon His Message of the* 12. *of* May, 1646. *and to this end to Disband this Army before any peace made or assured.* To this we say, the House of Commons upon the first notice thereof, voted the said Engagement of the 12. of *May*, Treasonable; and by Ordinance, 17. *December*. 1647. put an incapacity upon such Citizens as had any hand in it, which evidenceth, we were here in a right majority, as in other parts of their Paper they take the Votes of the House to prove us a *corrupt majority*: The charge here lying in general, and not fixed upon any particular. Concerning *Disbanding the Army*; we say, the House voted 8 *Regiments of Foot*, 4 *of Horse*, *and* 1 *of Dragoons*, *to be sent out of the Army for* Ireland, and resolved to keep 10000 *Foot*, *and* 5400 *Horse under Command of* the

the Lord Fairfax *for defence of* England. This was, 1. For Relieving *Ireland*. 2. For easing the heavy pressures of the poor people in *England*. And 3. an honourable employment for the Forces of the Army, to prevent such high distempers as have since ensued.

See my 1. part sect. 16, 17, 18 and my said Animadversions, p. 2. neither were they legally impeached. See *Ardua regni*, or 12 arduous doubts written in defence of the expulsed Memb. & the said Members Ans. to the Armies Charge. There was a close Inquisition of Godly Cut-throats purposely chosen to examine this Tumult; which proceeded illegally, & used so much foul play as to accuse men upon characters of their clothes, and persons; yet malice it self could find nothing. See my 1. part sect. 45, 46. to sect. 54. Return to sect. 2. & 5.

3. *That they endeavoured to protect the* 11 *impeached Members from justice, and with them to raise a new War.* To this we say, we gave them no other protection than the Laws allowed them. For the mispending 200000 l. designed for *Ireland*; we say, that 80000 l. thereof was paid to *Nicholas Loftus*, and others, for service of *Ireland*, and above 50000 l. to the Treasurers at War for the Army; which may more reasonably be said to be mis-imployed (because the Army had an established pay another way) than what the Reformado Officers and Souldiers (who obeyed the Orders of the House for Disbanding) received, who nevertheless pressed upon the House more earnestly for their Arrears, after the Declarations and Remonstrances published by the Army for paying the Arrears of all the Souldiers of *England*.

4. *Their countenancing, abetting, and partaking with the Tumult of Apprentices, and others against both Houses of Parliament.* To this we say, that we wonder they should urge the force offered to the House then (which they declared *horrid and treasonable*) to justifie the violence acted upon the House by themselves of a much higher nature. This is a meer fiction of the Pen-mans, which we do every one of us for our selves respectively deny.

5. *The holding correspondency, engaging and assisting the tumultuous Petitioners last Spring, the rebellious Insurrections in* Kent, *the Revolted Ships, Prince of* Wales, *with the* Scots *Army*: We do every one of us for our selves respectively deny these.

6. *That when the Army was dispensed and engaged in several parts, &c. and many faithful Members imployed abroad upon publick services; and others through Malignant Tumults about this City, could not with safety attend the House. Then the corrupt and Apostating party taking advantage of these distractions which themselves had caused: First, recalled in those Members, &c. Then they recalled those Votes for Non-Addresses, and voted a Personal Treaty.* To this we say, that if the proceedings of the Treaty were surreptiti-

repitiously gotten in a thin House, why do they then complain in other parts of their Paper, *that the majority of the House is corrupt, and formed to serve the Kings corrupt Interest?* why did they force from the House above 200 Members at once; the Counties never expressed so high contempt of the Parliament, until the like had been first done by the Armies quartering upon them.

Return to sect 2. & 5. there see the true grounds of these Tumults. See what use they make of providence in the 2. part of Englands new Chains.

And now let us come to that Vote of the House, 5. *Dec.* 1648. *That the Kings Answer to the Propositions of both Houses are a ground to proceed upon a settlement of Peace*; of which they say, *That though they advanced hither to attend providence for opening some way to avoid the present evils designed, and introduce the desired good into the Kingdom, yet they said nor acted nothing in relation to the Parliament, nor any Member thereof, until by the Vote passed,* Decem. 5. *they found the corrupt majority so resolvedly bent to compleat their Design in bringing in the King.* Do they call their threatning Declaration and Remonstrance a saying nothing? and their marching up against the House, contrary to the Order of the House, a doing nothing in relation to the Parliament? But by these words it appears that this Vote 5. *Decem.* is the very point of that necessity they now relye upon to justifie their force upon the House: For, before that passed, they say, *They say they acted nothing, &c.* we must now state the difference between the Houses Propositions, and the Kings Answer, and see whether the King did not grant all those Propositions in which the main security of the Kingdom resteth.

See Mr. *Pryns* said Speech in the House, 5 *Decem.* 1648. more at large.

He granted the first Proposition *for taking off all Declarations,* as was desired.

And the third Proposition *for the Militia,* as was desired.

He assented to *the Proposition for* Ireland; *limiting the time of the Parliaments disposing Officers there to twenty years.*

He consented to such Acts *for publick Debts and publick Uses, as should be presented within two years, and incurred within that time.*

He granted the Proposition *concerning* Peers, as was desired.

He granted the *Disposing Offices in* England, *to the Parliament, for twenty years.*

He granted the *taking away the Court of Wards, having* 100000*l.* per

per ann. *in lieu thereof to be raiſed as the Parliament ſhould think fit.*

He granted *to declare againſt the Marqueſs of* O mond's *power and proceedings after an Agreement with the Parliament.*

The onely difference therefore remained upon two Propoſitions:

1. *Delinquents,*
2. *The Church.*

For Delinquents, though He doth not grant all His Majeſty conſented *they ſhall ſubmit to moderate Compoſitions, according to ſuch Proportions as they and the two Houſes ſhall agree.*

2. He diſableth them *to bear Offices of publick Truſt, and removes them from the Kings, Queens, and Princes Court.*

3. For ſuch as the Houſes propounded *to proceed capitally againſt,* He leaves them to a Legal Trial, and declares, *He will not interpoſe to hinder it:* which ſatisfies the main complaint of the Parliament which was (in the beginning of the War) *That the King protected Delinquents from juſtice.* And all that the Houſe deſired in the Propoſitions preſented to him at *Oxford*, Feb. 1642. was, *That His Majeſty would leave Delinquents to a Legal Trial and judgement of Parliament.* But that his Majeſty ſhould joyn in an Act for taking away the Lives or Eſtates of any that have adhered to Him (He truly profeſſeth) *He cannot with Juſtice and Honour agree thereto.*

4. Nor do we ſee how Delinquents (being left to the Law) can eſcape juſtice, the King having granted the 1. Proemial Propoſition, and (ſo by a Law) acknowledged the Parliaments Cauſe and War to be juſt.

For the Church, The Houſes propound the utter *aboliſhing of Archbiſhops, Biſhops, &c. The ſale of their Lands, that Reformation of Religion be ſetled by Act of Parliament as both Houſes have, or ſhall agree.* The Kings Anſwer takes away Church-Government by Archbiſhops, Biſhops, &c. by taking away their Courts and Officers, and ſo far takes away their power of Ordination that it can never be revived again but by Act of Parliament, ſo that Epiſcopacy is diveſted of any actual being by the Law of the Land, and inſtead thereof the Presbyterian Government ſettled for three years by a Law; which is for ſo long a time as the Houſes

Houſes formerly in their Ordinances preſented to Him at *Newcaſtle*, did themſelves think fit to ſettle it: for the Sale of Biſhops Lands upon the Publick Faith; we ſay, That although the Purchaſers might well have afforded to have given the ſame rates for their Purchaſes (which they now give) if they might have had them aſſured by Act of Parliament for 99 years, and ſuch moderate Rents reſerved as the King intimates in his Anſwer; yet (in His Anſwer) he expreſſeth a farther ſatisfaction to be given them; upon which we ſhould have inſiſted notwithſtanding the ſaid Vote.

Every cheating Saint of the Faction muſt have the Publick Faith exactly kept, though he bought the Lands but at 2 or 3 years juſt value, and with ſuch monies as he had formerly cheated the State of; when other men who have loſt the beſt part of their eſtates by and for the Parliament, for compenſation whereof they have the Publick Faith engaged by Ordinances, are conſumed by Taxes, and repayed with reproaches onely.

5. *Decem.* 1648. We farther alledge, That the King having granted the reſt of the Propoſitions, and ſo much in theſe two Delinquents, and the Church; the National Covenant doth not oblige us to make War upon this point; nothing can make Presbytery (nor the Purchaſers of Biſhops Lands more odious, nor endanger them more, than to make them the ſole obſtacle of peace; nor could any thing more work the King to comply with our deſires herein, than for us to draw a little neerer Him.

The Conſiderations leading us to paſs the ſaid Vote, 5. *Dec.* 1648. come next to be conſidered:

1. *The ſaving of* Ireland.
2. *The regaining the revolted Navy, and freedom of the Seas.*
3. *The ſupport of the Ancient Government of the Kingdome.*
4. *The putting the people into a ſecure poſſeſſion of their Laws and Liberties.*
5. *The avoiding ſuch evil conſequences as were apparently to follow a breach with the King.*

Return to Sect. 71.

As 1. The Depoſing the King, if not the depriving Him of life; whereupon floods of miſery will follow, and ſcandal to the Proteſtant Religion, which we from our hearts) deteſt and abhor: See the many Declarations of Parliament againſt it.

2. The neceſſitating of the Prince to caſt himſelf into the Arms of Forreign Popiſh Princes, and embrace Popiſh Alliances for his ſuccour.

3. I:

3. It may beget a change of Government, and a laying aſide of Monarchy here; and ſo a breach with *Scotland*, and this Kingdome (being the more rich) likely to be the Seat of the War.

4. The vaſt Debt of this Kingdom upon the Publick Faith, will never be paid in War, but increaſed and multiplied; multitudes of Sufferers by, and for the Pariament like to be repayedonely with new ſufferings, and every years War deſtroyes more Families, and makes more Malignants through diſcontenting preſſures; untill at laſt the Souldier ſeeing no hope of pay, the People no hope of peace and eaſe, fall together into a general and deſperate tumultuouſneſs; the power of the Sword apparently threatning a diſſolution of Government both in Church and Common-wealth.

To that ſcandalous Objection, which ſaith, *The corrupt majority will not lend an ear to admit a thought towards the laying down their own power, or rendring it back to the People from whom they received it.* We ſay, this Objection is unreaſonable from men who endeavour to perpetuate an Army upon the Kingdom; nor is the continuance of this Parliament ſingly objected, but that they will not render it back to the People, *viz.* To a new Repreſentative, invented and made by the Army; that is, We will not render our power into the hands of the Army.

Another Objection is, *That whatſoever the King granted, He might plead Force to break it, and ſpoil us by policy.* This Objection might have been made againſt all our Treaties; If there be any Force, it is from the Army, for ſpoiling us by policy. The Kings of this Land could never encroach upon our good Laws, but by corrupt Judges and Miniſters, who though they could not abrogate the Law, made it ſpeak againſt it ſelf, and the intended good of the People, or elſe by the power of Courtiers, ſtopping the courſe of Juſtice at the Councel Table; and in other Arbitrary Courts, both which are taken away by the Kings Conceſſions.

1. *That the Nomination of Judges and Officers be in the Parliament.*

2. *That the King make no new Parliament Lords for the future to vote there.*

Another

Another Objection is, *That they had inteligence, that had they been suffered to meet all in the House once more, it was designed to have passed some higher Resolutions, to lay farther foundations of a new quarrel, so as to carry therein the name and countenance of Parliamentary Authority together with the Kings, upon an acceptable pretence of Peace, to draw men in, and then to have adjourned the Parliament for a long time, excluding all remedy in this case but by another War.* To this we say, the House immediately upon passing the Vote 5. *Decemb.* sent a Committee to the General to confer with him and his Officers, and keep a good correspondency with them: To which, the General promised his readiness, howsoever it was hindred afterwards. And then they seized upon one of the Commissioners appointed to Treat, affronted another, and left no way free for a Conference, which shews they were resolved to do what they had designed.

For this you must take the faith of the misty-brain'd Penman, who had this (as well as many other gross Lies) by Revelation. The Army had had the King in their power, and had the Parliament adjourned, the sole power of the Kingdom had been left in the Army; which is a thing aimed at by them.

The last Object. is, *That those Members that are yet detained in Custody, are either such as have been formerly impeached, and* (in part) *judged by the House for Treason, and other Crimes, and never acquitted, and against whom they can, and very shortly will produce new matter of no less crime; or else such who have appeared most active and united in Councels with them; against whom also they are preparing, and shall shortly give matter of paticular Impeachment.* To this we say, that when it appears what those crimes are, and what persons are charged with them, we doubt not but they will sufficiently acquit themselves, if things may be legally carried in a judicial way by competent Judges, not pre-ingaged. In the mean time we conclude, That Souldiers, whose advantages arise by War, are not fit to judge of the Peace of the Nation.

74. A Declaration by Mr. *Walker* and Mr. *Pryn.*

The 19. *Jan.* 1648. Mr. *Pryn*, and Mr. *Walker* (two of the secured Members) published in print their Declaration and Protestation, against the actings and proceedings of the Army, and their Faction now remaining in the House of Commons, as followeth:

A Declaration and Proteſtation of Will. Pryn, *and* Clem. Walker, *Eſquires, Members of the Houſe of Commons; Againſt the preſent Actings and Proceedings of the General, and General Councel of the Army, and their Election now remaining, and ſitting in the ſaid Houſe.*

WHereas long ſince, for eaſe of the People, both Houſes in a full and free Parliament Voted the Disbanding of this Army; in oppoſition to which, ſome great Officers of the ſaid Army (to continue their rich Commands) with ſome Members of the Houſe of Commons (who daily inrich themſelves by the troubles of the times) ſecretly mutinied the Army againſt the Parliament. And whereas lately the far major part of the Houſe of Commons, pittying the bleeding condition, and tears of the oppreſſed People, Voted, and entred into a Perſonal Treaty with the King; without which (by the Armies own confeſſion in their Remonſtrance at Saint *Albans*, p.64.) there can be no peace; which the Army interrupted by obtruding upon the Commons a treaſonable Remonſtrance, 20. *Novemb.* 1648. tending to deſtroy the King, and His Poſterity, and wholly to ſubvert all Parliaments, Religion, Laws, and Liberties for ever; whereby the Commons in Parliament found it abſolutely neceſſary to prevent ſuch pernicious innovations, by concluding a ſafe peace with His Majeſty; whereupon (afer mature debate) the Houſe of Commons the 5. *Decem.* 1648. voted, *That the Kings Anſwer to the Propoſitions of both Houſes upon the Treaty, were a ground for the Houſes to proceed to the ſettlement of a ſafe and well-grounded Peace:* Upon which, the General, and Councel of War, Wedneſday morning, 6. *Decemb.* 1648. Seized and Impriſoned 41 of the Members going to the Houſe of Commons to do their duty, ſecluded above 160 other Members, beſides 40 or 50 Members who voluntarily withdrew themſelves to avoid their violence, leaving only their own engaged party of 40 or 50 Members ſitting, who now paſs Acts of Parliament of the Houſe of Commons (as they call them) without the Lords; and comply with the ſaid Councel of War to carry on the ſaid Remonſtrance: To which purpoſe this preſent remnant of the

Commons have unvoted in a thin House under the force of the Army, what was deliberately Voted in a full and free House; whereas by their own Ordinance passed upon the Tumult of Apprentices, 20. *August*, 1647. to null, and make void *ab initio*, all Acts, Orders, Votes, &c. passed under the said force. This remaining Party ought not to sit, act, nor take upon them the stile of a House, under so visible, actual, and horrid a Force.

The premises considered, We whose names are hereunto subscribed, Members of the House of Commons, do declare and protest, That the said General, Commissioned Officers, and General Councel of the Army, by the said act of violence, upon the major part of the House, which legally and virtually is the whole House, have waged War, and Rebelled against the Parliament their Masters, who raised them to defend the priviledges of Parliament, and the Kings Person and Authority, in defence of Religion, Laws, and Liberties, and have thereby forfeited their Commissions, and have broken and discontinued this Parliament; so that, until this force be removed, punished, the Honour of the Parliament, and their wronged Members vindicated and all the Members resummoned, all the Votes, Orders, and Actings, passed, and to be passed by this nominal House of Commons, are, and will be void, *ab initio*, and all such as do, or shall obey them, are and will be punishable, both by the Armies own judgement in their Remonstrance, *August* 18. and by the Houses Declaration, and the said Ordinance, 20. *August*, 1647.

We do farther declare and protest against this present House of Commons illegal Acts, Order, or Ordinance, for erecting a High Court of Justice, and usurping a power without any Law or president, to Try, Depose, and bring to capital punishment the King, and to dis-inherit His Posterity, or any of them, and against the said General Councel of Officers, aiding and abetting them therein, as highly impious against the Law of God, Nations, and the Protestant Profession, Traitors against the *Stat.* of Treason, 25 *Edw.* 3. and against all Laws and our Statutes, perjurious and perfidious, against the Oaths of Allegiance, Supremacy, National Covenant, and Protestation; all the Parliaments Declarations and Remonstances held forth to the world; their Treaties and promises made to the *Scots* when they deli-

vered

vered the Kings perſon into our hands; againſt our promiſes made to the *Hollanders*, and other Nations, and againſt all the Profeſſions, Declarations, Remonſtrances, and Propoſals made by this Army; when they made their Addreſſes to the King at *New-market*, *Hampton-Court*, and other places.

January 19. 1648. *William Pryn.*

Clem. Walker.

75. The Coun. of Officers order 2 Petitions for the Commons Houſe againſt Tythes 2. againſt the Stat. for Baniſhing the Jews.

About this time the General Councel of Officers at *Whitehall*, ordered, *That two Petitions* (or Mandates rather) *ſhould be drawn, and preſented to their Houſe of Commons; One againſt Payment of Tythes; the other, for Repealing the Act for Baniſhment of the Jews:* Hear you ſee they ſhake hands with the *Jews*, and crucifie Chriſt in his Miniſters, as well as in his Anointed, the King.

76. Col. *Tichburns* Petition and complaint againſt the Lord Mayor, and their Orders thereupon. The like Petitions were invited from moſt Counties, where a dozen Schiſmaticks and two or three Cloaks repreſented a whole County.

About this time Col. *Tichburn*, and ſome ſchiſmatical Common Councel-men, preſented a Petition to the ſupreme Authority the Commons in Parliament, demanding *juſtice againſt all Grand and capital Actors in the late Wars againſt the Parliament from the higheſt to the loweſt; the Militia, Navy, and all Places of power to be in faithful hands* (that is, in their own Faction, all others being diſplaced under the general notion of diſaffected) *to ſettle the Votes* (*That the ſupreme Authority is in the Commons in Parliament aſſembled.*) They complained, *That the Lord Mayor, and ſome Aldermen, denied to put their Petition to the Queſtion at the Common Councel, and departed the Court, with the Sergeant and Town-Clerk, That the Court afterwards paſſed it Nemine contradicente.* The Commons thanked the Petitioners (for the tender of their aſſiſtance) and Ordered, *That the Petition ſhould be entred amongſt the Acts of the Common Councel, and owned them for a Common Councel notwithſtanding the departure of the Lord Mayor, &c.* And about four or five dayes after, the Commons Ordered, * *That any ſix of the Commons Councel* (*upon exergent occaſions*) *might ſend for the Lord Mayor to call a Common Councel themſelves, and forty of them to have power to Act*

* See a juſt and ſolemn Proteſt. of the ſee Citizens of *London*, againſt the Ordinance, 17. *Decem.* 1647. diſabling ſuch as had any hand in the City Engagement to bear Office.

as a Common Councel without the Lord Mayor, any thing in their Charter to the contrary notwithstanding. Thus you see the Votes of this supreme thing (the House of Commons) are now become the only Laws and Reason of all our actions.

77. An Act passed for adjournment of part of *Hillary* Term, and the Lords concurrence rejected.

The 16. *Jan.* 1648. was passed an Act of the Commons *for adjournment of Hillary Term for forty dayes.* This was in order to the Kings Trial, but the Commissioners of the Great Seal, declared, *That they could not agree to seal Writs of Adjournment without the Lords concurrence* (the assent of one Lord being requisite) their tame Lordships sent down to the Commons to offer their readiness to *joyn therein.* But the Commons having formerly Voted, *The Supreme Power to be in themselves as the Peoples Representative, and that the Commons in every Committee should be impowred to act without the Lords.* The Question was put, *Whether the House would concur with the Lords therein?* which passed in the *Negative*; so the Lords were not owned. Afterwards they ordered, *that the Commoners (Commissioners for the Great Seal) should issue forth Writs without the Lords.*

78. *The Agreement of the People* presented to the House of Commons by the Officers of the Army. *Diurnal*, from *Jan.* 15. 20, 22. 1648. nu. 286.

20. *January*, Liev. General *Hamond*, with many Officers of the Army, presented to the Commons from the General and Councel of the Army, a thing like a *Petition*, with *The Agreement of the people* annexed. Mr. Speaker *thanking them*, desired them *to return the hearty thanks of the House to the General and all his Army for their gallant services to the Nation; and desired the Petition and Agreement should be forthwith printed, to shew the good affection between the Parliament and Army.* I cannot blame them to brag of this affection, being the best string to their bow. About this time some well-meaning man (that durst think truth in private) published his thoughts under the Title of [*Six serious Queries, concerning the Kings Trial, by the High Court of Justice.*

79. 6 Queries concerning the Kings Trial by the new High Court of Justice.

1. Whether a King of three distinct Kingdoms can be condemned and executed by one Kingdom alone, without the concurrent consent, or against the judgement of the other two?

2. Whether if the *King* be indicted or arraigned of *high Treason*, he ought not to be tried by his Peers? & whether those who are now nominated to try him, or any others in the Kingd. be his Peers?

3. Whether if the King be triable in any Court for any Treason against the Kingdome, He ought not to be tried only in full Parlia-

Parliament, in the most solemn and publick manner, before all the Members of both Houses, in as honorable a way, as *Strafford* was in the beginning of this Parliament? And whether He ought not to have liberty and time to make his full defence, and the benefit of his learned Council, in all matters of Law, that may arise in or about his Trial, or in demurring to the jurisdiction of this illegall new Court, as *Strafford* and *Canterbury* had?

4. Whether one eighth part only of the Members of the Commons House, meeting in the House, under the Armies force, when all the rest of the Members are forcibly restrained, secluded, or scared away by the Armies violence, and representing not above one eighth part of the Counties, Cities & Boroughs of the Kingdom, without the consent and against the Vote of the majority of the Members, exeluded and chased away, and of the House of Peers, by any pretext of Authority, Law, or Justice, can erect a New great Court of Justice to try the King, in whom all the rest of the Members, Peers and Kingdom (being far the Major part) have a greater Interest than they? Whether such an High Court can be erected without an Act of Parl. or at least an Ordin. of both Houses, and a Commission under the Great Seal of *England*? And if not, whether this can be properly called a Court of Justice? and whether it be superiour or inferiour to those who erected it? who either cannot or dare not try and condemn the King in the Com. House; though they now stile it, *The Supreme Authority of the Kingdom*; and whether all who shall sit as Judges, or act as Officers in it, towards the Deposing or taking away the Kings life be not really guilty of High Treason, and all those who were aiding or assenting to the erection thereof in such an irregular manner, by the Laws and Statutes of this Realm?

5. Whether those who are professed Enemies to the King, and by their Remonstrances, Speeches, and actions, profess they desire his blood and seek his life, can either in Law or Conscience be reputed competent Judges to try him for his life? It being a just exception to any Jury man, who is to try the basest or poorest Felon, and a legal challenge for which he must be withdrawn; that he is a professed Enemy and Prosecutor who seeks his life, and therefore no lawfull nor indifferent trier of him for it.

6. Whether the triall and taking away of the Kings life by such

such an illegal and arbitrary High Court of Justice, as this, will not prove a most dangerous inlet, to the absoluteſt tyranny and bloodieſt butchery ever yet heard of, or practiſed in this, or any other Nation? and a ready way to teach us, how to chop off one anothers heads, till we are all deſtroyed? For if they may take away the Kings head in it without, and againſt all rules of Law: then by the ſame or ſtronger reaſon, they may in like manner chop off the heads of any Nobleman, Peer, Member, Gentleman or inferiour ſubject for any imaginary Treaſon or offence, and confiſcate their Eſtates, there being no aſſurance they will ſtop at the Kings: and if thoſe who are confeſſed to be the Majority of the Com. Houſe, and therefore excluded, or the Prince of *Wales* next Heir to the Crown, or the Malignant party, or any other Faction whatſoever which may ariſe, ſhould at any time hereafter get the upper hand by the peoples general adhering to them, or any diviſions of the Army, or by any means Gods providence ſhould adminiſter (who hath thouſands of ways to pull down the proudeſt Tyrants, and diſſipate the ſtrongeſt Armies in a moment, as he did *Senacheribs*, the Midianites, the Moabites, and Ammonites, with ſundry others recorded in Sacred Writ, and prophane Stories, and the Scots Army but few months ſince) they may by like authority and preſident erect the like new Court, to cut off the heads of all the Members now ſitting, and of the preſent General Councel of the Army, and all the Commiſſioners acting in this new Court; and ſo fall a murthering and butchering one another, till we were all deſtroyed one by another, and made a ſpectacle of moſt unnatural tyranny, and cruelty to the whole world, Angels, and men, and a prey to our common Enemies. Upon which conſideration, let every man now ſeriouſly lay his hand upon his own breaſt, and ſadly conſider what the bloody tragical iſſue of this new *Phaleris* Bull, may prove to him or his; and whether every Free-born Engliſh-man (eſpecially of Nobleſt birth, and ampleſt Eſtate) be not deeply obliged in point of prudence and conſcience to uſe his utmoſt endeavour with hazard of life and eſtate, to prevent the erection of ſuch an exorbitant and illegal Authority, in the very riſe and foundation, ere it be over late; and not patiently ſuffer a raſh and inconſiderate number of Hotſpurs (of mean condition and

The Anſwer of the General Councel of Officers touching the ſecluded Members, Jan. 3. 1648.

and broken deſperate fortunes for the moſt part) out of private malice, fear or deſigns to ſecure and inrich themſelves by the ruines of others of better fortune and quality; to ſet up ſuch a new ſhambles to butcher and quarter the King, Nobles, Parliament-men, Gentlemen, and perſons of all conditions, as was never heard of among Pagans or Chriſtians, from the Creation to this preſent, and will no way ſuit with our Engliſh ſoil, already overmuch watred with Engliſh blood; and ſo deeply ingaged againſt all arbitrary and tyrannical uſurpations and proceedings (eſpecially capital) in any hands whatſoever, which have coſt us ſo much blood and treaſure to oppoſe and fight againſt for ſeven years laſt paſt.

80. The firſt days Trial of his Majeſty.

Saturday, *Jan.* 20. 1648. The new thing called *The High Court of Juſtice* ſate: *Bradſhaw* being Preſident, who had the Mace and Sword carried before him, and 20 Gentlemen (forſooth) with Partizans for his Guard, under the command of Colonel *Fox* the Tinker An *O yes* being made, and *ſilence* commanded; the ſaid Act of the Commons for erecting the ſaid Court was read, and the Court called, there being about 70 of the Commiſſioners preſent. Then the King was brought to the Bar by Col. *Hacker* with Halberdiers, the Mace of the Court conducting him to his Chair within the Bar where he ſate. And then Preſ. *Bradſhaw* ſaid to the King *Charl s Stuart King of* England; *The Commons of* England *aſſembled in Parliament being ſenſible of the great calamities brought upon this Nation, and of the innocent blood ſhed (whieh are referred to you as the Author of it) according to that duty which they owe to God, the Nation, and themſelves, and according to that power and fundamental truſt repoſed in them by the People, have conſtituted this High Court of Juſtice, before which you are now brought, and you are to hear your Charge, upon which the Court will proceed.*

Prove this power and truſt: The whole Kingdom (in effect) deny it. So do all our Law-Books, and the Practice of all Ages.

Solicitor *Cook. My Lord, in behalf of the Commons of* England, *and of all the People thereof, I do accuſe* Charles Stuart *here preſent of High Treaſon and miſdemeanours, and I do in the name of the Commons of* England *deſire the Charge may be read unto him.*

The King. *Hold a little.*

Preſident. *Sir, the Court commands the Charge to be read; afterward you may be heard.* The Charge was read, as followeth;

The

The Charge against King Charles *the First, January* 20. 1648.

The Charge read.

THat the said *CHARLES STUART*, being admitted King of *England*, and therein trusted with a *limited power* to govern by, and according to the Laws of the Land, and not otherwise; and by his Trust, Oath, and Office, being obliged to use the power committed to him, *For the good and benefit of the People*, and for the preservation of their Rights and Liberties; yet nevertheless, out of a *wicked design*, to erect and uphold in himself an unlimited and tyrannical power, to rule *according to his Will*, and to overthrow the Rights and Liberties of the People; Yea, to take away, and make void the Foundations thereof, and of all redress and remedy of mis-government, which by the fundamental Constitutions of this Kingdom, were reserved on the peoples behalf, in the right and power of frequent and successive Parliaments, or National meetings in Councel; He, the said *Charles Stuart*, for accomplishment of such his *Designs*, and for the protecting of himself and his Adherents, in his and their *wicked Practises* to the same Ends, hath traiterously and maliciously levied War against the present Parliament, and the People therein Represented.

Particularly, upon or about the thirtieth day of *June*, in the year of our Lord, one thousand six hundred forty and two, at *Beverley* in the County of *York*; and upon, or about the thirtieth day of *July*, in the year aforesaid, in the County of the City of *York*; and upon, or about the the twenty fourth day of *August*, in the same year, at the County of the Town of *Nottingham*, (when, and where he set up his Standard of War) and also on, or about the twenty third day of *October* in the same year, at *Edgehill*, and *Keinton-field*, in the County of *Warwick*; and upon or about the thirtieth day of *November*, in the same year, at *Brainford* in the County of *Middlesex*; and upon, or about the thirtieth day of *August*, in the year of our Lord, one thousand six hundred forty and three, at *Cavesham-bridge*, near *Redding*, in the County of *Berks*; and upon, or about the thirtieth day of *October*, in the year last mentioned, at, or near the City of *Gloucester*;

ceſter: And upon, or about the thirtieth day of *November*, in the year laſt mentioned, at *Newbury*, in the County of *Berks:* And upon, or about the one and thirtieth day of *July*, in the year of our Lord, one thouſand ſix hundred forty and four, at *Cropredy-bridge*, in the County of *Oxon:* And upon, or about the thirtieth day of *September*, in the year laſt mentioned, at *Bodmin*, and other places near adjacent, in the County of *Cornwall:* And upon, or about the thirtieth day of *November*, in the year laſt mentioned, at *Newbury* aforeſaid: And upon, or about the eighth day of *June*, in the year of our Lord, one thouſand ſix hundred forty and five, at the Town of *Leiceſter:* And alſo, upon the fourteenth day of the ſame month, in the ſame year, at *Naſeby-field*, in the County of *Northampton*. At which ſeveral times and places, or moſt of them, and at many other places in this Land, at ſeveral other times, within the years aforementioned: And in the year of our Lord, one thouſand ſix hundred forty and ſix, He, the ſaid *Charles Stuart*, hath cauſed and procured many thouſands of the free-people of the Nation to be ſlain; and by Diviſions, Parties, and Inſurrections, within this Land by Invaſions from forreign parts, endeavoured and procured by Him, and by many other evil wayes and means. He the ſaid *Charles Stuart*, hath not only maintained and carried on the ſaid War, both by Land and Sea, during the years before mentioned, but alſo hath renewed, or cauſed to be renewed, the ſaid War againſt the Parliament, and good people of this Nation, in this preſent year, one thouſand ſix hundred forty and eight, in the Counties of *Kent*, *Eſſex*, *Surrey*, *Suſſex*, *Middleſex*, and many other Counties and places in *England* and *Wales*, and alſo by Sea. And particularly, He the ſaid *Charles Stuart*, hath for that purpoſe, given Commiſſions to his Son, the Prince, and others, whereby, beſides multitudes of other Perſons, many ſuch, as were by the Parliament intruſted and imployed for the ſafety of the Nation; being by Him or his Agents corrupted; to the betraying of their Truſt, and revolting from the Parliament, have had entertainment and commiſſion, for the continuing and renewing of War and Hoſtility, againſt the ſaid Parliament and People, as aforeſaid. By which cruel and unnatural Wars by him, the ſaid *Charles Stuart*, levyed, continued, and renewed, as afore-

aforeſaid, much Innocent blood of the Free-people of this Nation hath been ſpilt, many Families have been undon, the Publick Treaſury waſted and exhauſted, Trade obſtructed, and miſerably decayed, vaſt expence and damage to the Nation incurred, and many parts of the Land ſpoyled, ſome of them even to deſolation.

And for further proſecution of his ſaid evill Deſigns, He, the ſaid *Charles Stuart*, doth ſtill continue his Commiſſions to the ſaid Prince and other Rebels and Revolters, both Engliſh and Forraigners; and to the Earl of *Ormond*, and to the Iriſh Rebels and Revolters, aſſociated with him; from whom further Invaſions upon this Land are threatned, upon the procurement and on the behalf of the ſaid *Charles Stuart*.

All which wicked Deſigns, Wars, and evill practiſes of him, the ſaid *Charles Stuart* have been, and are carried on, for the advancing and upholding of the Perſonall Intereſt of Will and Power, and pretended prerogative to himſelf and his Family, againſt the Publick Intereſt, Common Right, Liberty, Juſtice, and Peace of the people of this Nation, by, and for whom He was entruſted, as aforeſaid.

By all which it appeareth, that He, the ſaid *Charles Stuart* hath been, and is the Occaſioner, Author, and Contriver of the ſaid unnaturall, cruell and bloudy Wars and therein guilty of all the treaſons, murthers, rapines, burnings, ſpoiles deſolations, damage and miſchief to this Nation, acted or committed in the ſaid Wars or occaſioned thereby.

And the ſaid *John Cook*, by proteſtation (ſaving on the behalf of the people of *England*, the liberty of Exhibiting at any time hereafter, any other Charge againſt the ſaid *Charles Stuart*; and alſo of replying to the Anſwers which the ſaid *Charles Stuart* ſhall make to the premiſſes, or any of them, or any other Charge that ſhall be ſo exhibited) doth for the ſaid treaſons and crimes, on the behalf of the ſaid people of England, Impeach the ſaid *Charls Stuart*, as a Tyrant, Traytor, Murtherer, and a publick and implacable Enemy to the Commonwealth of *England*: and pray, that the ſaid *Charles Stuart*, King of *England*, may be put to anſwer all and every the premiſes, that ſuch Proceedings, Examinations, Tryals, Sentence, and Judgment may be thereupon had, or ſhall be agreable to Juſtice.

The

The King ſmiled often during the reading of the Charge, eſpecially at theſe words: *Tyrant, Traytor, Murderer, and publick Enemy of the Commonwealth.*

Preſident. Sir, you have now heard your Charge you find that in the cloſe of it, it is prayed to the Court in behalf of the Commons of *England*, that you anſwer to your Charge which the Court expects.

King. *I would know by what power I am called hither? I was not long ago in the* Iſle of Wight, *how I came there is a longer ſtory, than I think fit at this time for me to ſpeak: But there I entred into a Treaty with both Houſes of Parliament, with as much faith as is poſſible to be had of any people in the World: I Treated there with a number of Honorable Lords and Gentlemen, and treated honeſtly and uprightly, I cannot ſay, but that they did very nobly with Me: We were upon a Concluſion of the Treaty. Now I would know by what lawfull Authority* (there are many unlawfull Authorities, Thieves and Robbers on the High-way) *I was brought from thence, and carried from place to place?* (and I know not what) *and when I know by what lawful Authority, I ſhall anſwer. Remember I am your King, your lawfull King, and what ſins you bring upon your own heads, and the judgement of God upon this Land, think well upon it, think well upon it, I ſay, before you go on from one ſin to a greater, therefore let me know by what lawfull Authority I am ſeated here? and I ſhall not be unwilling to Anſwer. In the meane time I ſhall not betray My Truſt: I have a truſt committed to Me by God, by old and lawfull deſcent; I will not betray it to anſwer to a new unlawfull Authority.*

Bradſhaw Preſ. If you had been pleaſed to have obſerved what was hinted to you by the Court at your firſt coming hither you would have known by what Authority: which Authority requires you in the name of the people of *England*, of whom you are Elected *KING*, to anſwer them.

King. *I deny that.*

Bradſh. If you acknowledge not the Authority of the Court, they muſt proceed.

King. *I do tell them ſo,* England *was never an Elective Kingdome, but an Hereditary Kingdome, for neer theſe thouſand yeares: Therefore let Me know by what lawfull Authority I am called hither?*

I do ſtand more for the Liberty of my People than any here that come to be my pretended Judges: and therefore let me know by what lawfull Authority, and I will Anſwer, otherwiſe I will not Anſwer.

Bradſh. Sir, How really you have managed your truſt is known: your way of anſwer is to interrogate the Court, which beſeems not you in this condition; you have bin told of it twice or thrice.

King. *Here is Lievt.* Colonell Cobbet, *aske him, if he did not bring me from the* Iſle of Wight *by force? I do not come here as ſubmitting to the Court; I will ſtand as much for the priviledge of the Houſe of Commons rightly underſtood, as any man here whatſoever; I ſee no Houſe of Lords here that may conſtitute a Parliament and (the King too) ſhould have been.* Is this the bringing the King to His Parliament? Is this the bringing an end to the Treaty on the publick Faith? *Let me ſee a Lawfull Authority warranted by the Word of God, the Scriptures, or by the conſtitutions of the Kingdome. I will not betray my Truſt, nor the Libertys of the People; I am ſworn to keep the peace by that duty I owe to God, and My Country: and I will do it to the laſt breath in My body. As it is a ſin to withſtand lawfull Authority, ſo it is to ſubmit, To a Tyrannicall, or any otherwiſe unlawfull Authority.*

Brutiſh. *Brādſh.* The Court expects your finall anſwer, and will adjourn till Munday next: we are ſatisfied with our Authority that are your Judges, and it is upon Gods Authority and the Kingdoms; and that peace you ſpeak of will be kept in doing Juſtice, and Note. that's our preſent work. So the Court adjourned, and the King was conducted back; They had ſo contrived it, that divers Schiſmaticall Souldiers, and Fellows were placed round about the Court to cry *Juſtice, Juſtice*, when the King was remanded thinking all the reſt of the people would have bleated to the ſame tune, but they (almoſt all) cryed *God bleſſe him*, and were (ſome of them) well cudgelled by the Souldiers for not ſaying their prayers handſomly after the mode of the Army; one barbarous Souldier (it is confidently reported) ſpat in the Kings face as he bauled for *Juſtice*: The King only ſaying, *My Saviour ſuffered more for my ſake*, wiped it off with his Handkerchief, yet the Court took no nocice of this Affront, ſo far was His Majeſty already fore-judged and condemned to ſufferings.

Whether this were the firſt day, or afterwards I know not.

Munday

Munday, *Jan.* 22. The KING was brought again to His Trial. 81. The second dayes Trial of his Ma-

Sollicitor *Cook*, *May it please your Lordship, I did at the last Court in behalf of the Commons of* England, *exhibite, and give in to this Court a charge of high Treason, and other high crimes against the Prisoner at the Bar; whereof I do accuse him in the name of the people of* England, *and the charge was read unto Him, and his Answer required: My Lord, He was not then pleased to give an Answer, but instead of answering did dispute the Authority of this High Court: My humble motion to this High Court in behalf of the Kingdome of* England, *is, That the Prisoner may be directed to make a positive Answer, either by way of confession, or Negation; which, if He shall refuse to do, That the matter of charge may be taken* pro confesso, *and the Court may proceed according to Justice.*

Bradsh. Sir, you may remember at the last Court you were told the occasion of your being brought hither, and you heard a charge read against You, &c. You hear likewise what was prayed in behalf of the People, That you should give an Answer to that charge: You were then pleased to make some scruples concerning the Authority of this Court, and knew not by what Authority You were brought hither: You did divers times propound your Questions, and were as often Answered, That it was by Authority of the Commons of *England*, Assembled in Parliament, that did think fit to call You to account for those High and capital Misdemeanours, wherewith You were then charged. Since that the Court hath taken into consideration what You then said, they are fully satisfied with their own Authority, and they hold it fit you should stand satisfied therwith too; And they do require that you do give a positive and particular Answer to this Charge exhibited against you; they expect you should either confess or deny. If you do deny, it is offered in the behalf of the Kingdome to be made good against you, Their Authority they do avow to the whole world, that the whole Kingdom are to rest satisfied therein, and You are to rest satisfied in it; and therefore You are to give a positive Answer.

Without any Law, President, rational debate, or Arguments to prove it: Oh brutish Tyranny.

King. *When I was here last, its true, I made that Question; and truly, if it were only my own particular case, I would have satisfied My self with the Protestation I made here the last time, against the*

Legality

Legality of this Court, and that a King cannot be tryed by any Superiour Jurisdiction upon earth: but it is not my case alone, it is the Freedom, and the Liberties of the People of England, *and (do you pretend what you will) I stand more for their Liberties; for if Power without Law may make Lawes, nay, alter the Fundamentall Lawes of the Kingdom, I do not know what Subject he is in* England *that can be sure of his Life, or any thing that he calls his own. Therefore, when I came hither, I did expect particular Reasons to know by what Law, what Authority, you proceed against me here? and therefore I am a little to seek what to say to you in this particular, because the Affirmative is to be proved, the Negative (often) is very hard to do. I shall tell you my Reasons as short as I can. All proceedings against any man whatsoever———*

False. *Bradsh.* Sir, I must interrupt you; what you do is not agreable to the proceedings of any Court of Justice: You are about to enter into argument and dispute concerning the Authority of this Court before whom you appear as a Prisoner, and are charged as a High Delinquent; you may not dispute the Authority of this Court, nor will any Court give way unto it, you are to submit to it, &c.

King. *Under favour, I do plead for the Liberty of the people of* England *more than you do; and therefore, If I should impose a belief upon any man without Reasons given, it were unreasonable.*

Oh bruitish Asinine Kingdome, to be governed by an up-start Authority, without use of Reason. *Bradsh.* Sir, I must interrupt You: You may not be permitted You speak of Law and Reason, and there is both against you, Sir, the Vote of the Commons of *England* assembled in Parliament, is the reason of the Kingdom, and they are those that have given you that Law, according to which you should have Ruled and Raigned; Sir, It will be taken notice of, that you stand in contempt of the Court, and your contempt will be recorded accordingly.

King. *I do not know how a King can be a Delinquent, but by all Laws that ever I heard, all men may put in Demurrers against any proceedings as illegall: and I do demand that, if you deny that, you deny reason.*

Over-rule a Demurrer without Argument: If a man may not demur to the Jurisdiction of any Court, that Court may enlarge its bounds, and become a Corporation of Tyrants. *Bradsh.* Sr. Neither you, nor any man are permitted to dispute

that

that Point, You are concluded; You may not demur to the Jurisdiction of the Court, if You do, I must let you know, that they overrule Your demurrer, they sit here by the Authority of the Commons of *England*, and all Your Predecessors and You, are responsible to them.

King. *I deny that, shew Me one President.*

Bradsh. Sir, You ought not to interrupt while the Court is speaking to you; this point is not to be debated by you, if you offer it by way of Demurrer, to the Jurisdiction of the Court, they have considered of their Jurisdiction, they do affirm their own Jurisdiction.

King. *I say Sir, by your favour, That the Commons of* England *were never a Court of Judicature; I would know how they came to be so?*

Bradsh. Sir, you are not to be permitted to go on in that Speech, and these discourses.

Then the Clerk of the Court read, as followeth:

Charles Stuart, King of *England*, you have been accused in the behalf of the people of *England*, of High Treason, and other high crimes, the Court hath determined that you ought to answer the same.

King. *I will answer the same so soon as I know by what Authority you do this.*

Bradsh. If this be all that you will say, then Gentlemen, you that brought the Prisoner hither, take charge of him back again.

King. *I do require that I may give My Reasons why I did not Answer, and give Me time for that.*

Bradsh. Sir, 'Tis not for Prisoners to require.

King. *I Prisoners!* Sir, *I am not an ordinary Prisoner.*

Bradsh. The Court have affirmed their Jurisdiction, if You will not Answer, We shall give order to Record your default.

King. *You never heard my Reasons yet.*

Bradsh. Sir, Your Reasons are not to be heard against the highest Jurisdiction.

Reasons are not to be heard against a remaining faction of the Commons of *England.*

King. *Shew Me that Jurisdiction where Reason is not to be heard?*

Bradsh. Sir, we shew it you here, the Commons of *England*, and the next time you are brought, You will know more of the pleasures of Court, and it may be, their final Determination.

King.

King. *Shew Me where ever the House of Commons was a Court of Judicature of that kinde.*

Bradsh. Serjeant, Take away the Prisoner.

King. *Well Sir, Remember that the King is not suffered to give in His Reasons, for the liberty and freedome of all his Subjects.*

Bradsh. Sir, You are not to have liberty to use this language, how great a Friend you have been to the Laws and Liberties of the People, let all *England*, and the world judge.

King. *Sir, under favour, it was the Liberty, Freedome, and Laws of the Subject that ever I took---defended My self with Arms, I never took up Arms against the People, but for the Laws.*

Bradsh. The command of the Court must be obeyed, no Answer will be given to the Charge.

So the King was guarded forth to Sir *Robert Cottons*, and the Court adjourned to the Painted-Chamber, Tuesday twelve a Clock.

82. The 3d. daies Trial of His Majesty.

Tuesday, *Jan.*23. The Court sate again, seventy three Commissioners present.

The King brought into the Court, sits down.

Solicit. Cook. *May it please your Lordship my Lord President, This is now the third time that by the great grace and favour of the Court, the Prisoner hath been brought to the Bar, before any Issue joyned in this Cause. My Lord, I did at the first Court exhibite a Charge against Him, containing the highest Treason that ever was wrought on the Theater of* England, That a King of *England* trusted to keep the Law, that had taken an Oath so to do, that had Tribute payed Him for that end, should be guilty of a wicked Design to subvert and destroy our Laws, and introduce an Arbitrary and Tyrannical Government in defiance of the Parliament and their Authority, set up His Standard for War against his Parliament and People: *And I did humbly pray in behalf of the People of* England, That he may speedily be required to make an Answer to the Charge, *but, my Lord, instead of making any Answer, He did then dispute the Authority of this High Court; your Lordship was pleased to give Him a further day to put in His Answer, which day being yesterday, I did humbly move,* That He might be required to give a direct and positive Answer, either by denying, or confessing of it; *But, my Lord, He was pleased*

sed to demur to the Jurisdiction of the Court, which the Court did then over-rule and command him to give a direct and positive answer: My Lord, besides this great delay of Justice, I shall now humbly move your Lordship for speedy Judgement against Him: I might presse your Lordship upon the whole, That according to the known rules of the Laws of the Land; that if a Prisoner shall stand contumacious in contempt, and shall not put in an issuable Plea, guilty or not guilty of the charge given against him, whereby he may come to a fair Tryall, that by an implicit confession it may be taken, pro confesso; *as it hath been done to those who have deserved more favour, than the Prisoner at the Bar hath done. But besides my Lord, I shall humbly presse your Lordship upon the whole fact, That the House of Commons, the supreme Authority and Jurisdiction of the Kingdom, they have declared,* That it is notorious that the matter of the charge is true; *as it is in truth my Lord, as clear as crystall, and as the Sun that shines at noon-day, which if your Lordship and the Court be not satisfied in, I have notwithstanding in the Peoples behalf, severall Witnesses to produce; and therefore I do humbly pray, (and yet I do confesse, it is not so much I, as the innocent blood as hath been shed: (the cry whereof is very great) for Justice and Judgement) and therefore I do humbly pray, that speedy Judgement be pronounced against the Prisoner at the Bar.*

You see the remnant of the House of Comm. had forejudged the King before they erected this new Court to sentence him and claime a Jurisdiction, as well as a Supreme Authority.

Bradsh. Sir, you have heard what is moved by the Council on behalf of the Kingdom against you; you were told over and over again, That it was not for you, nor any other man to dispute the Jurisdiction of the Supreme and highest Authority of *England*, from which there is no appeal, and touching which there must be no dispute; *yet you did persist in such carriage as you have no manner of obedience, nor did you acknowledge any Authority in them; nor the high Court that constituted this high Court of Justice: Sir, I must let you know from the Court, that* they are very sensible of these delays of yours, and that they ought not (being thus Authorized by the Supreme Court of *England*) be thus trifled withall, and that they might in Justice, and according to the rules of Justice, take advantage of these delays, and proceed to pronounce Judgment against you, *yet nevertheless they are pleased to give direction, and on their behalf, I do require you,* That you make a positive Answer unto this charge that is against you, in plain tearmes (*for*

Justice, knows no respect of Persons) you are to give your positive and final Answer in plain English, whether you be guilty or not guilty of these Treasons laid to your charge.

King. *When I was here Yesterday, I did desire* to speak for the Liberties of the people of *England*, I was interrupted; *I desire to know yet*, whether I may speak freely or not?

Bradsh. *Sir, You have had the resolution of the Court, upon the like question the last day, & you were told*, that having such a charge of so high a nature against you, your work was, that you ought to acknowledge the Jurisdiction of the Court, and to answer to your charge, *when you have once answered, you shall be heard at large, make the best defence you can: But Sir, I must let you know from the Court*, (*as their commands*) That you are not to be permitted to issue out into any other discourses till such time as you have given a positive answer concerning the mater charg'd upon you.

King. *For the charge I value it not a Rush*, it is the Liberty of the people of England *that I stand for*; *for me to* acknowledge a new Court *that I never heard of before, I that am your* KING, *that should be an example to all the people of* England, *to* uphold Justice, to maintaine the old Lawes, *Indeed, I do not know how to do it: you spoke well the first day that I came here*, (*on Saturday*) of the Obligations that I had laid upon me by God, to the maintenance of the Liberties of my people, *the same Obligation you spake of*, I do acknowledge to God, that I owe to him, and to My People, to defend as much as in me lies, the antient Laws of the Kingdome; *therefore untill that I may know, that* this is not against the fundamentall Laws of the Kingdome, *I can put in no particular Answer, if you will give me time, I will shew you my Reasons, and this*----- here being interrupted, the King said again, *By your favour, you ought not to interrupt me. How I came here I know not*; *there's no Law for it* to make your King your Prisoner; *I was in a Treaty upon the publick Faith of the Kingdom, that was the known---- two Houses of Parliament, that was the Representative of the Kingdom, and when I had almost made an end of the Treaty, then I was hurried away & brought hither, and therefore--*

Whether these breaches and interruptions were made by Brad shaw, or whether are omissions and expunctions of some material parts of the King's Speech which this licensed Penman durst not set down; I know not, I hear much of the King's Argument is omited, & much depraved, none but licensed men being suffred to take Notes

By Adjo-

Bradſh. Sir, You muſt know the pleaſure of the Court.

King. *By your favour Sir,---*

Bradſh. Nay Sir, by your favour, You may not be permitted to fall into thoſe Diſcourſes: You appear as a Delinquent, You have not acknowledged the Authority of the Court, the Court craves it not of You, but once more they command You to give your poſitive Anſwer. Clerk, Do your Duty.

King. *Duty Sir!*

The Clerk reads.

Charles Stuart, *King of* England, *You are accuſed in behalf of the Commons of* England *of diverſe high Crimes and Treaſons; which Charge hath been read unto You, The Court now requires You to give Your poſitive and final Anſwer, by way of confeſſion or denial of the Charge.*

King. *Sir, I ſay again to you, ſo that I may give ſatisfaction to the People of* England, *of the clearneſs of My proceedings, not by way of anſwer, not in this way, but to ſatisfie them that I have done nothing againſt that Truſt that hath been committed to Me, I would do it; but to acknowledge a New Court againſt their Priviledges, to alter the fundamental Laws of the Kingdome, Sir, you muſt excuſe me.*

Bradſh. *Sir, This is the third time that You have publickly diſavowed this Court, and put an affront upon it; how far You have preſerved the priviledges of the people, Your actions have ſpoken; but truly Sir, mens intentions ought to be known by their actions, You have written Your meaning in bloody Characters throughout the whole Kingdome, but Sir, you underſtand the pleaſure of the Court, Clerk, Record the default, and Gentlemen, you that took charge of the Priſoner take him back again.* So the King went forth with His Guards, and the Court adjourned to the Painted Chamber; the Cryer as at other times) crying, *God bleſs the Kingdome of England.*

83. The fourth and laſt dayes Trial of His Majeſty.

Saturday, 27. *Jan.* 1648. The Court ſate again in *Weſtminſter-hall*, the Preſident was in his Scarlet Robes, after him 67 Commiſſioners anſwered to their Names; The King came in, in His won-

wonted posture with his Hat on, a Company of Souldiers and Schismaticks placed about the Court to cry for *Justice, Judgement,* and *Execution*; The people not daring to cry, *God bless Him,* for fear of being again beaten by the Souldiers.

Bradsh. *Gentlemen, it is well known to all, or most of you here present, that the Prisoner at the Bar hath been several times convented, and brought before this Court, to make Answer to a charge of High Treason, and other high crimes exhibited against Him, in the Name of the People of* England; *to which Charge being required to Answer, He hath been so far from obeying the Commands of the Court, by submitting to their Justice, as He began to take up n Him Reasoning and Debate unto the Authority of the Court, And to the Highest Court that appointed them to Try and to Judge Him; but being over-ruled in that, and required to make His Answer, He still continued contumacious, and refused to submit to Answer. Hereupon the Court (that they may not be wanting to themselves, nor the Trust reposed in them, nor that any mans wilfulness prevent Justice) they have considered of the charge, of the contumacy, and of that confession which in Law doth arise on that contumacy; they have likewise considered the notiority of the Fact charged upon this Prisoner; and upon the whole matter, they are resolved, and have agreed upon a Sentence to be pronounced against this Prisoner, but in respect He doth desire to be heard before the Sentence be read, and pronounced, the Court hath resolved to hear Him; yet Sir, thus much I must tell you beforehand (which you have been minded of at other Courts) that if that which you have to say, be to offer any debate concerning the Jurisdiction, You are not to be heard in it; You have offered it formerly, and you have struck at the root,* that is, *the Power and Supreme Authority of the Commons of* England, *which this Court will not admit a Debate of; and which indeed is an irrational thing in them to do, being a Court that act upon Authority derived from them. But Sir, if you have any thing to say in defence of your self concerning the matter charged, the Court hath given me in commands to hear You.*

King. *Since I see that you will not hear any thing of debate concerning that which I confess I thought most material, for the peace of the Kingdome, and for the liberty of the Subject, I shall wave it; but only I must tell you, that this many a day all things have been taken away*

away from Me, but that that I call dearer to Me than My life, which is My Conſcience and Mine Honour: And if I had a reſpect of my life, more than the peace of the Kingdome, and the liberty of the Subject, certainly I ſhould have made a particular defence for My life, for by that at leaſtwiſe, I might have delayed an ugly Sentence, which I believe will paſs upon Me; therefore certainly Sir, as a man that hath ſome underſtanding, ſome knowledge of the world (if that my true zeal to my Country had not overborn the care that I have for My own preſervation) I ſhould have gone another way to work than that I have done: Now Sir, I conceive that a haſty Sentence once paſſed may ſooner be repented of than recalled; and truely, the ſelf-ſame deſire that I have for the peace of the Kingdome and the liberty of the Subject, more than My own particular ends, makes Me now at laſt deſire, that I having ſomething to ſay that concerns both, I deſire, before Sentence be given, that I may be heard in the Painted-Chamber *before the Lords and Commons, this delay cann t be prejudicial to you, whatſoever I ſay, if that I ſay no reaſon thoſe that bear Me muſt be Judges, I cannot be Judge of that that I have: If it be reaſon, and really for the welfare of the Kingdome, and the liberty of the Subject, I am ſure it's very well worth the hearing, therefore I do conjure you, as you love that which you pretend (I hope its real) the Liberty of the Subject, and peace of the Kingdome, that you will grant Me this hearing before any Sentence paſſed; but if I cannot get this Liberty, I do proteſt that your fair ſhews of Liberty and Peace are pure ſhews, and that you will not hear your King.*

The Preſident ſaid, *This was a declining the Juriſdiction of the Court, and delay:* Yet the Court withdrew for half an hour, adviſed upon it, and ſat again.

Bradſhaw ſaid to the King, *That the Court had conſidered what He had moved, and of their own Authority; the return from the Court is this,* That they have been too much delayed by You already, and they are Judges appointed by the higheſt Authority, and Judges are no more to delay, than they are to deny Juſtice; and notwithſtanding what You have offered, they are reſolved to proceed to Sentence, and to Judgement, that is their unanimous reſolution.

The King preſſed again and again, that He might be heard by the

the Lords and Commons in the *Painted Chamber*, with great earnestness, and was as often denied by *Bradshaw*: at last, the King desired that this Motion of His might be entred.

Bradshaw began in a long Speech to declare the Grounds of the Sentence, much aggravating the Kings offences, and misapplying both Law and History to his present purpose: When *Bradshaw* had done speaking, the Clerk read the Sentence drawn up in Parchment to this effect:

84. The Sentence against His Majesty.

THat whereas the Commons of England *in Parliament had appointed them an high Court of Justice for the Tryal of* Charles Stuart *King of* England, *before whom He had been three times convented, and at the first time a charge of High Treason and other high crimes and misdemeanors was read in behalf of the Kingdom of* England, *&c.* Which Charge being read unto Him as aforesaid, He the said* Charles Stuart *was required to give His Answer, but He refused so to do; and so expressed the several passages at His Tryal in refusing to Answer. For all which Treasons and Crimes, this Court doth adjudge, That He the said* Charles Stuart, *as a Tyrant, Traytor, Murtherer, and a publick Enemy shall be put to Death, by severing of His Head from His Body.*

* Here the Clerk read the aforesaid Charge.

After the Sentence read, the President said, *This Sentence now read and published, it is the Act, Sentence, Judgement, and resolution of the whole Court:* Here the whole Court stood up, as assenting to what the President said.

King. *Will you hear Me a word Sir?*

Bradshaw. Sir, You are not to be heard after the Sentence.

King. *No Sir!*

Bradshaw. No, Sir, by your favour Sir! Guard, withdraw your Prisoner.

King. *I am not suffered to speak; Expect what Justice other people will have.*

These

These are the names of such persons as did actually sit as Judges upon the Triall of His Majesty, with the Councel and Attendants of the Court.

Serjeant *John Bradshaw*, President.

Oliver Cromwell, L. Gen.
Com. Gen. *Ireton.*
Major Gen. *Skippon.*
Sir *Hardress Waller.*
Col. *Thomas Harrison.*
Col. *Edward Whalley.*
Col. *Thomas Pride.*
Col. *Isaac Ewer.*
Col. *Rich. Ingolsby.*
Sir *Henry Mildmay.*
Thomas Lord *Grey.*
Philip Lord *Lisle.*
Wil. Lord *Munson.*
Sir *John Danvers.*
Sir *Tho. Malevever.*
Sir *John Bowcher.*
Sir *James Harrington.*
Sir *William Brereton.*
Wil. Henningham, Esq.
Isaac Pennington, Ald.
Thomas Atkins, Ald.
Col. *Rowland Wilson.*
Sir *Peter Wentworth.*
Col. *Henry Martyn.*
Col. *William Purefoy.*
Col. *Godfrey Bosvile.*
Col. *John Berkstead.*
Sir *Wilh. Cuntable.*
Col. *Edward Ludlow.*
Col. *Jo. Hutchingson.*
Col. *Robert Tichburne.*
Col. *Owen Roe*
Col. *Adrian Scroop.*
Col. *John Okey.*
Col. *John Harrison.*
Col. *John Desborough.*
Cornelius Holland, Esq.
Miles Corbet, Esq.
Francis Allen, Esq.
Peregrin Pelham, Esq.
John Gourdon, Esq.
Serj. *Francis Thorp.*
Tho. Challoner, Esq.
Col. *John Moore.*
John Allured, Esq.
Col. *Francis Lassels.*
Henry Smith, Esq.
James Challoner, Esq.
Dennis Bond, Esq.
Humph. Edwards, Esq.
Gregory Clement, Esq.
John Fray, Esq.
Tho. Wogan, Esq.
Sir *Greg. Norton.*
Col. *Edm. Harvey.*
John Dove, Esq.
John Venn.
John Foulks, Alder.
Thomas Scot.
Tho. Andrews, Alder.
William Cawley, Esq.
Col. *Anthony Stapely.*
John Lisle, Esq.
John Corbet, Esq.
Thomas Blunt, Esq.
Thomas Boone, Esq.
Col. *George Fleetwood.*
Col. *James Temple.*
Sir *Peter Temple.*
Col. *Thomas Wayte.*
John Browne, Esq.
William Say, Esq.
Col. *Math. Thomlinson.*
John Blackston.
Gilb. Millington.
Abraham Barrell.
Col. *J. Downes.*
Mr. *Norton.*
L. Gen. *Tho. Hammond.*
Nich. Love.
Vincent Potter.
Augustine Garland.
Sir *Miles Livesey.*
Jo. Dixwell.
Simon Mayne.
Daniel Blagrave.
Col. *Robert Lilburne.*
Col. *Rich. Deane.*
Col. *Huson.*
L. Col. *W: Goffe.*
Master *Carewe.*
Jo. Jones.

Counsellors assistant to this Court, and to draw up the Charge against the King, are

Doctor *Dorislaus.*
Master *Aske.*
Master *Cooke.*
Serjeant *Dandy* Serjeant at Arms.
Mr. *Phelps*, Clerk to the Court.

Messengers and Door-keepers, are Mr. *Walford.* Mr. *Radley*, M. *Pain*, M. *Powel*, M. *Hull*, and Mr. *King* Cryer.

This

85. Observations upon the Tryal of His Majesty.

This is a relation of his Majesties Triall by a mixed Court of Justice erected by 50 or 60 confederate Members of the House of Commons, sitting under the power of the Army, after all the rest of the Members above 250 had been violently secured, secluded and frighted away. And in order to this design against the King, the House of Peers voted down, and yet the House of Commons (when intire) is no Court of Judicature, nor can give an Oath. Had indifferent men been permitted to take Notes, you had had a more perfect narrative; yet as it is truth shines forth to the confusion of this bloody, cheating, Tyrannical faction: could they have wrought the King to have submitted to the Jurisdiction of this Arbitrary Court, His example should have been urged as an irrefragable Precedent against the lives & liberties of the whole Kingdom, and urged to be of as great Authority, as if he established that Court by Act of Parliament. So that the King is to be looked on as a civill Martyr, dying for the Liberty of the People. And although they have failed of this device, yet they will have some other Arbitrary bloudy Inquisition to cut off the lives (without Law) of such as they desire to remove without which this Tyrannous Kingdom of the Saints or Brambles, cannot subsist; and therefore on Thursday, 2. *February*, *Cromwell* and *Ireton*, and their cannibal Council of Officers projected to get an Act passed by their House of Commons (where all their requests are commands) to inable the said Council to hang all such as they shall adjudge Disturbers of the Army, although no Members of the Army: they must have publick Slaughter-houses *in terrorem*, as well as private *ad pœnam*, the nature of their cause, and their naturall conditions requiring it. *Oliver* is a bird of prey, you may know by his bloudy Beake; so was his *Prodomus* that type and figure of him, *John of Leyden*; than whom, this fellow will shortly prove far more bloudy: you see this schismatical remnant of one House, have the impudence to usurp the supream Authority to themselves: And then to tell you, that the Votes of this petty conventicle (calling themselves the Commons) are the Law, nay, the reason of the Land, thereby divesting us of those Laws which shall distinguish us from Slaves, and denying us the use of our reason, whereby we are differenced from Beasts, and expecting

2. Part of *Englands* liberty in Chains, *sub fine*. And the Hunting of the Foxes, &c.

expecting an implicite faith, and blind obedience from us, to all the Votes of this half-quarter of an House of Commons, so far that they Vote obedience to the known Laws (in many cases) to be treason, and what all our Laws call Treason, they Vote no Treason: Nay, should they vote a Turd to be a Rose, or *Olivers* Nose a Ruby, they would expect we should swear it, and fight for it. This legislative Den of Thieves erect new Courts of Justice, neither founded upon Law nor Prescription, Theaters of illegal tyranny and oppression, to take away mens lives Arbitrarily, for Actions which no Law makes criminous; nay for such acts as the Laws command, where their proceedings are contrary to *Magna Charta*, and all our known Laws and usages, not *per probos & legales homines*, no Juries, no sworn Judges, authentically chosen, no Witnesses face to face, no formal Indictment in which a man may finde errour, and plead to the jurisdiction of the Court; or where the Court ought to be of Councel with the Prisoner; but the same engaged and vowed Enemies, are both Parties, Prosecutors, Witnesses, Judges (or Authorizers and Nominators of the Judges) Actors of all parts upon that stage of blood.

The King pressed earnestly (especially upon Monday 22. *Jan.*) to have his Reasons against the Jurisdiction of the Court heard, but was as often denied, He intended then to give them in writing, which was likewise rejected, so they were sent to the Press. A true Copy whereof follows:

His Majesties Reasons against the pretended Jurisdiction of the High Court of Justice, which he intended to deliver in Writing on Monday, Jan. 22. 1648.

Faithfully transcribed out of the Original Copy under the Kings own hand.

86. His Majesties Reasons against the Jurisdiction of the high Court of Justice; published after His condemnation.

HAving already made my Protestations not only against the Illegality of this pretended Court, but also that no earthly power can justly call Me (who am your *King*) in question as a Delinquent, I would not any more open my mouth upon this occasion, more than to refer my self to what I have spoken, were I alone in this case concerned. But the duty I owe to God in the pre-

preſervation of the true Liberty of my people, will not ſuffer Me at this time to be ſilent: For, how can any Free-born Subject of *England* call life, or any thing be poſſeſſeth his own, if power without right daily make new, and abrogate the old fundamental Law of the Land, which I now take to be the preſent caſe. Wherefore when I came hither, I expected that you would have endeavoured to have ſatisfied Me concerning theſe grounds, which hinder Me to anſwer to your pretended Impeachment; but ſince I ſee that nothing I can ſay will move you to it (though Negatives are not ſo naturally proved as Affirmatives) yet I will ſhew you the Reaſon why I am confident you cannot judge Me, nor indeed the meaneſt man in *England*; for I will not (like you) without ſhewing a Reaſon, ſeek to impoſe a belief upon My Subjects.

93. Hereabout I was ſtopt, and not ſuffered to ſpeak any more concerning Reaſons.

There is no proceeding juſt againſt any man, but what is warranted either by Gods Laws, or the municipal Laws of the Country where he lives. Now I am moſt confident, that this dayes proceeding cannot be warranted by Gods Law, for on the contrary, the authority of obedience unto Kings, is clearly warranted, and ſtrictly commanded both in the Old and New Teſtament; which if denyed, I am ready inſtantly to prove; and for the queſtion now in hand, there it is ſaid, That *where the word of a King is, there is Power; and who can ſay unto him, what doeſt thou?* Eccleſ. 8.4. Then for the Laws of the Land, I am no leſs confident, that no learned Lawyer will affirm that an Impeachment can lye againſt the KING, they all going in his Name; and one of their Maxims is, *That the King can do no wrong.* Beſides, the Law upon which you ground your proceedings, muſt either be old or new; if old, ſhew it; if new, tell what authority warranted by the fundamental Laws of the Land hath made it, and when. But how the Houſe of Commons can erect a Court of Judicature, which was never one it ſelf (as is well known to all Lawyers, I leave to God and the World to judge: And it were full as ſtrange that they ſhould pretend to make Laws without King or Lords Houſe, to any that have heard ſpeak of the Laws of *England*.

And admitting, but not granting, that the People of *England's* Commiſſion could grant your pretended power, I ſee nothing

you

you can ſhew for that; for certainly yo never asked the queſtion of the tenth man of the Kingdome, and in this way you manifeſtly wrong even the pooreſt Plough-man, if you demand not his free conſent, nor can you pretend any colour for this your pretended Commiſſion without the conſent at leaſt of the major part of every man in *England*, of whatſoever quality or condition, which I am ſure, you never went about to ſeek, ſo far are you from having it. Thus you ſee that I ſpeak not for My own right alone, as I am your King, but alſo for the true Liberty of all My Subjects, which conſiſts not in ſharing the power of Government, but in living under ſuch Laws, ſuch Government as may give themſelves the beſt aſſurance of their lives and propriety of their goods. Nor in this muſt, or do I forget the Priviledges of both Houſes of Parliament, which this dayes proceedings doth not only violate, but likewiſe occaſion the greateſt breach of their publick Faith (I believe) ever was heard of, with which I am far from charging the two Houſes; for all the pretended crimes laid againſt Me, bear date long before this late Treaty at *Newport*, in which I having concluded as much as in Me lay, and hopefully expecting the two Houſes agreement therennto. I was ſuddenly ſurpriſed, and hurried from thence as a Priſoner, upon which account I am againſt my will brought hither, where ſince I am come, I cannot but to My power defend the ancient Laws and Liberties of this Kingdom, together with my own juſt Right, then for any thing I can ſee the higher Houſe is totally excluded.

And for the Houſe of Commons, it is too well known that the major part of them are detained or deterred from ſitting, ſo as if I had no other, this were ſufficient for Me to proteſt againſt the lawfulneſs of your pretended Court.

Beſides all this, the peace of the Kingdom is not the leaſt in My thoughts, and what hopes of Settlement is there ſo long as power reigns without rule of Law, changing the whole frame of that Government under which this Kingdom hath flouriſhed for many hundred years (nor will I ſay what will fall out in caſe this lawleſs unjuſt proceeding againſt Me do go on) and believe it the Commons of *England* will not thank you for this change, for they will remember how happy they have been of late years

under the Reign of Queen *Elizabeth*, the King my Father, and My self, until the begining of these unhappy troubles, and will have cause to doubt that they shall never be so happy under any new. And by this time it will be too sensibly evident, that the Armes I took up were onely to defend the fundamental Laws of this Kingdom, against those who have supposed My power hath totally changed the ancient Government.

Thus having shewed you briefly the Reasons, why I cannot submit to your pretended Authority without violating the trust which I have from God, for the welfare and liberty of My People; I expect from you either clear Reasons to convince My judgement, shewing Me that I am in an error (and then truly I will readily answer) or that you will withdraw your proceedings.

This I intended to speak in *Westminster-hall* on Munday, 22. *January*, but against reason was hindered to shew My Reasons.

87. Alteration of the forms and styles of writs and legal proceedings.

The 27. *Jan.* The Commons read the Act for Altering the formes of Writs, and other proceedings in Courts of Justice, which (according to all our known Laws, the custom of all Ages, and the fundamental Government of this Kingdom) ever ran in the Kings Name. This Act upon the Question was assented to, and no concurrence of the Lords desired, of this more hereafter.

88. A Proclam. to be brought in, prohibiting the Prince of *Wales*, or any of the King's Issue to be proclaimed King of *Engl.*

The Junto of 50 or 60 Commons appointed a Committee to pen a Proclamation, That if any man should go about to Proclaim Prince *Charles*, or any of that line King of *England* (after the removal of King *Charles* the Father out of this Life,) as is usually, and ought to be done by all Mayors, Baliffs of Corporations, High-Sheriffs. &c. under high penalties of the Law for their neglect) or shall proclaim any other without the consent of the present Parliament: the Commons declare it to be High Treason; and that no man under pain of Imprisonment or such other (arbitrary) punishment, as shall be thought fit to be inflicted on them, shall speak or preach any thing contrary to the present proceedings of the Supreme Authority of this Nation, the Commons of *England* assembled in Parliament. Your hands and feet

feet, liberties ond conſciences were long ſince tied up, now you are tongue-tied.

89. The Biſhop of *Lond.* appointed by the Ho. to adminiſter ſpiritual comfort to the condemned King; and the Kings uſage by the Army. See Mr. *Jo. Geree's* Book againſt *Goodwin*, called, *Might overcomming Right.* And Mr. *Pryn's* Epiſtle to his Speech, 6 *Decemb.* 1648.

Upon motion, the Houſe ordered, that Doctor *Juxon* Biſhop of *London*, ſhould be permitted to be private with the King in His Chamber, to preach and Adminiſter the Sacraments, and other Spirituall comforts to Him: But notwithſtanding their Maſters of the Council of War, appointed that weather-cock *John Goodwin* of *Coleman-ſtreet* (the *Balaam* of the Army that curſeth and bleſſeth for Hire (to be Superintendent both over King and Biſhop, ſo that they could hardly ſpeak a word together without being over-heard by the long-ſchiſmatical-ears of black-mouthed *John*: Beſides, I hear that for ſome nights a Guard of Souldiers was kept within his Chamb er, who with talking, clinking of pots, opening and ſhutting of the door, and taking Tobacco there (a thing very offenſive to the Kings nature) ſhould keep him watching, that ſo by diſtempering and amazing him, with want of ſleep, they might the eaſier bring him to their bent.

90. A Paper-book of Demands tendered to be ſubſcribed by the King the Sunday before he died. See Sect. 94.

28. *January*, being the laſt Sabbath the King kept in this life, ſome of the Grandees of the Army and Parliament tendered to the King a Paper-book, with promiſe of Life and ſome ſhadow of Regality (as I hear) if he ſubſcribed it: It contained many particulars deſtructive to the fundamental Government, Religion, Laws, Liberties and Property of the People: One whereof was inſtanced to Me, *viz.* That the King ſhould (amongſt many other demands,) paſſe an Act of Parliament for keeping on foot the *Militia* of this Army during the pleaſure of the Grandees, who ſhould be truſted with that *Militia*, and with power from time to time to recruit and continue them to the number of 40000 Horſe and Foot, under the ſame Generall and Officers, with power notwithſtanding in the Council of War to chuſe new Officers and Generals from time to time, as occaſion ſhall happen, and they think fit, and to ſettle a very great Tax upon the people by a Land-Rate, for an eſtabliſhed Pay for the Army; to be collected and levied by the Army themſelves, and a Court-Martial of an exorbitant extent and latitude. His Majeſty (as I hear) read ſome few of the propoſitions, and throwing them aſide, told them he would rather becom a Sacrifice for

His

His People, than betray their Laws and Liberties, Lives, and Estates, together with the Church and Commonwealth, and the Honour of his Crown, to so intolerable a bondage of an Armed faction.

91. The Stile and Title of *Custodes Libertatis Angliæ*, voted to be used in legal proceedings. Instead of the style of the *King*. These Goalers of the Liberties of *England* are *Individuum vagum*, not yet named. See a Continuation of this madness in an Act for better setling proceedings in Courts of Justice, according to the present Government. Dated 17. *Feb* 1648.

Monday 29. *Jan.* 1648. The Legislative half-quarter of the House of Commons, voted as followeth (hearken with admiration Gentlemen) Be it enacted by this present Parliament, and by Authority of the same, that in all Courts of Law, Justice, and Equity, and in all Writs, Grants, Patents, Commissions, Indictments, Informations, Suits, Returns of Writs, and in all Fines, Recoveries, Exemplifications, Recognizances, Process, and Proceedings of Law, Justice, or Equity within the Kingdoms of *England* or *Ireland*, Dominion of *Wales*, &c. instead of the Name, Stile, Teste, or Title of the KING heretofore used, that from henceforth the Name, Stile, Teste or Title *Custodes libertatis Angliæ, authoritate Parliamenti*, shall be used, and no other; and the Date of the year of the Lord, and none other, and that all Duties, Profits, Penalties Fines, Amerciaments, Issues, and Forfeitures whatsoever, which heretofore were sued for in the name of the KING, shall from henceforth be sued for in the name of *Custodes libertatis Augliæ, authoritate Parliamenti*; and where the words were (*Juratores pro Domino Rege*) they shall be (*Juratores pro Republica*) and where the words are (*contra pacem, dignitatem & cornam nostram*) the words from henceforth shall be (*contra pacem Publicam.*) All Judges, Justices, Ministers, and Officers are to take notice thereof, &c. and whatsoever henceforth shall be done contrary to this Act, shall be, and is hereby declared to be null and void; the death of the King, or any Law, usage or custom to the contrary notwithstanding, &c.

92. Another device to mortifie the King.

The King lay in *White-hall* Saturday (the day of his Sentence) and Sunday night so near the place appointed for the separation of his Soul and Body, that He might hear every stroak the Workmen gave upon the Scaffold (where they wrought all night) this is a new device to mortifie him, but it would not

93. [illegible]uesday, 30. *Jan.* 1648. was the day appointed for the Kings Death; He came on foot from Saint *James's* to *White-hall* that morning: His Majesty coming upon the Scaffold, made a Speech

to

to the People; which could only be heard by ſome few Souldiers and Schiſmaticks of the Faction who were ſuffered to poſſeſs the Scaffold, and all parts near it; and from their Pens only we have our Informations.

His Majeſties Speech upon the Scaffold, and his Death, or Apotheoſis.

The KING told them,

THat all the world knew He never began the War with the two Houſes of Parliament; and he called God to witneſs (to whom He muſt ſhortly give an account) He never intended to incroach upon their priviledges; They began upon Me, it was the Militia they began with, they confeſſed the Militia was Mine, but they thought fit to have it from Me; and to be ſhort, if any body will look to the Dates of the Commiſſions, Theirs, and Mine, and likewiſe to the Declarations, will ſee clearly that they began theſe unhappy Troubles.

And a little after He ſaid, *I pray God they may take the right way to the peace of the Kingdome; But I muſt firſt ſhew you how you are out of the way, and then put you into the right way; firſt, you are out of the way, for all the way you ever had yet (by any thing I could ever finde) was the way of Conqueſt, which is a very ill way, for Conqueſt is never juſt, except there be a good juſt Cauſe, either for matter of wrong, or juſt Title, and then if you go beyond the firſt Quarrel that you have, that makes it unjuſt in the end, that was juſt in the beginning: But if it be only matter of Conqueſt, then it is a great Robbery, as the Pyrat ſaid to* Alexander, *and ſo (I think) the way that you are in hath much of that way; Not (Sirs) to put you in the way, beleeve it you will never do right, nor God will never proſper you, untill you give him his*

Souldiers Rebelling againſt their Maſter or Sovereign, though they prevail, cannot claim by Conqueſt, becauſe their quarrel was perfidious, baſe, and ſinful from the beginning.

his due, the King (that is, My Successor) his due, and the People (for whom I am as much as any of you) their due.

1. You must give God his due, by regulating rightly his Church (according to his Scripture) which is now out of order, to set you in a way particularly now I cannot, but only a National Synod freely called, freely debating amongst themselves, must settle this; when that every opinion is freely and clearly heard.

2. For the King, the Laws of the Land will freely instruct you, and because it concerns My self, I will only give you a touch of it.

3. For the people (and truly I desire their Liberty and Freedom as much as any man whatsoever) I must tel you their Liberty and Freedom consists in having such a Government, whereby their Lives and Goods may be most their own, it lies not in having a share in the Government that is nothing pertinent to them; a Subject and a Sovereign are clean different things: and therfore until you restore the People to such a Liberty, they will never enjoy themselves. Sirs, it was for this I now come hither, if I would have given way to an Arbitrary sway, to have all Laws changed according to the power of the Sword, I needed not to have come here; and therfore I tell you (and I pray God it be not laid to your charge) that I am the Martyr of the People, &c.

See Sect. 90.

The House had the Impudence to answer the Dutch Ambassadors, that what they had done to the King, was according to the Law of the Land. They mean, that their Lusts are the Laws of the Land, for other Law they can shew none.

This was the effect of His Majesties Speech, who shewed much Magnanimity and Christian patience, during all the time of His Trial and Death, notwithstanding many barbarous affronts put (by way of tentation) upon Him; He had his Head severed from his Body at one stroak, the Souldiers and Schismaticks giving a great shout presently.

Thus

THEROYALL
Sero sed Serio.
Quod Utile Honestum
Kill and take possession 1. Kings. 19.
Barathrum Fisci Charibdis Vectigalium
Let us kill him and
Inheritance
venates manus ibi sas
Lubri
Inspiratio Diabolica

OAKE OF BRITTAYNE
MAG NA CHAR TA
STA TV TES
RE POR TES
Quereu cadente ligna quiuis colligit
Incertum Vulgus ruenti graue
Fatted for Slaughter

UMI

Thus this noble Prince (a Gentleman ſanctified by many afflictions) after He had eſcaped Piſtol, Poyſon, and Peſtilent air, could not eſcape the more venemous tongues of Lawyers and Pettifoggers, *Bradſhaw*, *Cooke*, *Steel*, *Aske* and *Doriſlaus*; Thus *the Shepherd is ſmitten, and the Sheep ſcattered.*

THe ſaid High Court of Juſtice, with the downfall of King CHARLES *the* I. *thereby, and in Him of the Regall Government, Religion, Laws, and Liberties of this ancient Kingdome is Emblematically preſented to the Readers view:* See the Figure, before the Title Page.

Preſently after this diſſolution of the King, the Commons ſent abroad Proclamations into *London*, and all *England* over, reciting, *That whereas ſeveral pretences might be made to this Crown, and Title to the Kingly Office ſet on foot, to the apparent hazard of the Publick Peace. Be it enacted and ordained by this preſent Parliament, and by the Authority of the ſame, that no perſon whatſoever do preſume to proclaim, declare, publiſh, or any waies to promote* Charles Stuart (*Son of the ſaid* Charles) *commonly called* Prince *of* Wales, *or any other perſon to be King, or chief Magiſtrate of* England *or* Ireland, *or of any Dominions belonging to them; by colour of Inheritance, Succeſſion, Election, or any other claim whatſoever, without the free conſent of the people in Parliament first had & ſignified by a particular Act or Ordinance, for that purpoſe, any Law, Stat. uſage or cuſtom to* 94. Proclamations publiſhed againſt proclaiming the King.

Who shall judge when these Fellows will be thought free, and when not?

the contrary notwithstanding; and whosoever shall contrary to this Act, Proclaim, &c. Shall be deemed and adjudged a Traytor, and suffer accordingly.

Notwithstanding which inhibition, the 2. *Feb.* 1648. was printed and scattered about *London*-streets this following Proclamation.

95. A Proclamation privately printed and scattered, proclaiming CHARLES the second.

A Proclamation proclaiming CHARLES *Prince of* Wales, *King of* Great Britain, France *and* Ireland.

WEE the Noblemen, Judges, Knights, Lawyers, Gentlemen, Freeholders, Merchants, Citizens, Yeomen, Seamen, and other Freemen of England, *do, according to our Allegiance and Covenant, by these presents heartily, joyfully, and unanimously acknowledge and proclaim the Illustrious* CHARLES *Prince of* Wales, *next heir of the Blood-royal to his Father King* CHARLES *(whose late wicked and trayterous murther we do from our souls abominate, and all parties and consenters thereunto) to be by hereditary Birthright, and lawful succession, rightful, and undoubted King of* Great Britain, France, *and* Ireland, *and the Dominions thereunto belonging. And that we will faithfully, constantly and sincerely in our several places and callings defend and maintain his Royal Person, Crown, and Dignity with our Estates, Lives, and last drop of our Bloods, against all Opposers thereof; whom we do hereby declare to be Traytors and Enemies to his Majesty and his Kingdoms. In testimony whereof, we have caused these to be published and proclaimed throughout all Counties and Corporations of this Realm, the first day of* Feb. *in the first year of His Majesties Reign.*

God save King *CHARLES* the *Second.*

The

The fag end of the House of Commons, *Febr.*1. 1648. passed a thing they call an Act, That such Members as had assented to the Vote, 5.*Decemb.* 1648. That the Kings Concessions were a ground for the House to proceed to a settlement, should not be re-admitted to sit as Members: such as were then in the House and voted in the negative should first enter their dissent to the said Vote, such as were absent should declare their disapproval before they sit. Yow see the cheating Godly are resolved to keep all to themselves. 96. A Vote that such Members as had assented to the Vote 5. *Dec.* shal sit no more: others to enter their dissent and disapproval.

This day their tame Lordships sent a Message to the House of Commons, but they were too surly to call the Messengers in; the substance of the Message was, That their Lordships had appointed 7 of their House to joyn with a proportionable number of Commons, to consider of a way how to settle this Nation. 97. The Lords send a Message to the Com. but the Messenger not called in.

Munday, 5. *Febr.* 1648. The Commons debated whether they should continue the House of Lords as a Court Judicatory, or Consultory only? And the day following they put this Question, Whether this House shall take the advice of the House of Lords, in the exercise of the Legislative power of the Kingdom, in pursuance of the Votes of this House, 4 *Janu:* last. This was carried in the Negative by many Voices: in farther pursuance of which Vote, they farther voted, That the House of Peers in Parliament is useless and dangerous, and ought to be abolished; and that an Act be brought in for that purpose, and voted down their Priviledge of being exempt from Arrests; yet they graciously condescended they shall be capable of being elected knights of Shires, and Burgesses, if any will be so mad as to chuse them: yet my Lord of *Pembroke* is as much overjoyed with this gay priviledge, as if they had bestowed a new Cap with a Bell and a Bable upon him: who will not now conclude that the Votes of this Legislative, this supreme peice of the House of Commons, is the onely Law and reason of the Land, which leads all our Laws and reason captive, and is almighty against all but the Council of the Army. 98. The House of Lords voted down.

The 8. *Febr.* came forth A Declaration and Protestation of the Peeres, Lords and Barons of this Realm, against the late treasonable proceedings and tyrannicall usurpations of some 99. A Protestation of the Peers.

Members of the Commons House who endeavour to subvert the fundamentall Laws, and Regall Government of this Kingdom, and enslave the People to their boundlesse Tyranny in stead of Freedom. The Protestation followeth.

WE *the Peers, Lords and Barons of this Realm of* England, *for the present necessary vindication of the undoubted Rights and Priviledges of Parliament, and more particularly of the House of Peers, the just Prerogatives and Personall safety of our Kings, the known Laws and Liberties of this Kingdom, the Hereditary Freedom of all the Freemen of this Nation, and our affronted and contemned Honours and Authority against the many late unparralleld dangerous Invasions, and treasonable Usurpations of a few insolent mis-advised Members of the (late) House of Commons, whiles the greatest and ablest part of that House were forcibly detained or deterr'd from thence, wherewith we find ourselves and the whole Kingdom unsufferably injured, and deeply afflicted. Do, after a long patient expectation of their own ingenious Retractions of such injustificable Exorbitancies which their own judgements and Consciences cannot but condemn, whereof we now utterly despair; being thereto ingaged in point of Honour, Loyalty, Conscience, Oath, and love to our Native Country, as also by our solemn League and Covenant, publickly declare and protest to all the world, That by the Laws and Customes of this Realm, and usage of Parliament time out of mind, ever since there were Parliaments in this Island, the principal Authority and Iudicatory of the Parliaments of* England *hath always constantly resided, and ought still to continue only in the King and House of Peers, (wherein he always sits) and not in the Commons House, who never had, claimed, nor ought to have any right or power to judge any Person or Cause civilly or criminally (having no authority to examin any Witnesses upon Oath, and being no Court of Record) but only to accuse and impeach Delinquents in and before the House of Peers, where they always have used to stand bare-headed at their Bar; but never yet to stand covered, much lesse to sit, vote, or give Judgement. And that the House of Commons without the concurrent assent of the House of Peers, and Kings of* England *never heretofore challenged nor enjoyed, nor can of right pretend to any lawful power or Jurisdiction to make or publish any form or binding Ordinance, Vote, Act, or Acts of Parliament whatsoever, nor ever once presumed to passe any Act or*

Acts

Acts to erect a new High Court of Justice, to try, condemn, or execute the meanest Subject, least of all their own Soveraign Lord and King, or any Peer of the Kingdom (who by the Common and Statute Laws of this Realm, and Magna Charta, *ought to be tried onely by their Peers and not otherwise) or to dis-inherit the right Heir to the Crown, or to alter the Fundamentall Government, Laws, Great Seal, or ancient forms of proceſs and legall proceedings of this Realm, or to make or declare High Treaſon to be no Treaſon; or any Act to be Treaſon, which in it ſelf, or by the Law of the Land is no Treaſon, or to diſpoſe of any Offices in places of Judicature, or impoſe any penalties, Oaths, or Taxes on the Subjects of this Realm. And therefore we do here in the preſence of Almighty God, Angels and Men, from our hearts diſclaim, abhor, and proteſt againſt all Acts, Votes, Orders, or Ordinances of the ſaid Members of the Commons Houſe lately made and publiſhed, for ſetting up any new Court of Juſtice to try, condemn, or execute the King, or any Peers or Subject of this Realm: (which for any Perſon or Perſons to ſit in or Act as a Judge or Commiſſioner, to the condemning or taking away the life of the King, or any Peer or other Subject, We declare to be High Treaſon, and wilfull Murther, to diſinherit the Prince of* Wales *of the Crown of* England, *or againſt proclaiming him King after his Royall Fathers late moſt impious, traiterous and barberous murther, or to alter the Monarchical Government, Laws, Great Seal, Judicatories, and ancient forms of Writs, and legall proceſſe and proceedings, or to keep up, or make good any Commiſſions, Judges, or Officers, made void by the Kings bloody execution; or to continue any old, or raiſe any new Forces or Armies; or to impoſe any new Taxes, Payments, Oaths or forfeitures on the Subjects, or to take away any of their Lives, Liberties or Eſtates againſt the Fundamentall Laws of the Realm, or to make any new Judges, Juſtices or Officers, or ſet aſide the Houſe of Peers (far ancienter than the Commons Houſe) and particularly this inſolent and frantick Vote of theirs,* Feb. 6. [That the Houſe of Peers in Parliament is uſeleſs and dangerous, & ought to be aboliſhed & that an Act be brought in for that purpoſe] *to be not onely void, null, and illegall in the ſelves by the Laws and Statutes of this Realm, but likewiſe treaſonable, deteſtable, tyrannicall and deſtructive to the Priviledges, Rights and being of Parliaments, the juſt prerogatives and Perſonall ſafety of the Kings of* England: *the Fundamental Government and Laws of the Realm, the*

the Lives, Liberties, Properties and Estates of the People, and the most transcendent tyranny and usurpation over the King, Kingdom, Parliament, Peers, Commons, and Freemen of England *ever practised or attempted in any Age, tending onely to dishonor, enslave and destroy this antient flourishing Kingdom, and set up Anarchy and confusion in all places.*

All which exorbitant and trayterous Usurpations; We and all Free born Englishmen, are by all obligations bound to oppose to the uttermost with our lives and fortunes, lest we should be accessary to our own and our posterities slavery and ruin, for preventing wherof we have lately spent so much blood and treasure against the Malignant party, whose Treasons and Insolencies they far exceed.

*100. The Kingly Office voted down. After almost 1000 years it is now discovered by these New Lights to be inconvenient to be in one hand; therfore it must be in the Councel of State: forty Tyrants for one King. That is, the Army and their Party.

* The 7. *Febru.* the Commons debated about the Kingly Office, and passed this Vote.

Resolved, &c. By the Commons of *England* assembled in Parliament, that it hath been found by experience, and this House doth declare, That the Office of a King in this Nation, and to have the power thereof in any single Person is unnecessary, burdensome and dangerous to the liberty, safety, and publick Interest of the People of this Nation, and therefore ought to be abolished, and that an Act be brought in for that purpose.

101. A Committee to bring in a List of Names for a Councel of State.

A Committee was named to bring in a list of names (not exceeding 40) to be a Committee of State, by Act of the House of Commons. This is to pull down one King to whom we owe Allegiance; and set up forty Tyrants, to whom we owe no Allegiance.

102. New Commissions for the Judges, whereof six hold, & six quit their places.

Instructions were given by the Commons for drawing new Commissions for the Judges, according to the new Antimonarchical stile and way, the new Great Seal being now ready, a Committee of the House met the Judges about it; whereof six agreed to hold (upon a provision to be made by Act of the House of Commons, that the Fundamentall Laws be not abolished.) This very provision so made by Act of the Commons (beside all their former Votes against Monarchy; Peerage alter-

ing

in the stile of Writs, coynage of Money, &c.) is it self an abolition of the Fundamental Laws: This is but a Fig-leaf to cover their shame. Those that held were, Of the Kings Bench, Mr. Justice *Rolls* and Judge *Jerman*; Of the Common Pleas, Mr. Justice *S. John*, and Judge *Pheasant*; Of the Exchequer, Chief Baron *Wilde*, and Baron *Tates*; those which quitted their places and kept their Consciences, were Justice *Bacon*, and Justice *Brown*, Sho. *Tho. Beddenfield*, Justice *Creswel*, Baron *Treaver*, and Baron *Atkins*.

103. *Cyrencester* election, But the Clerk of the Crown certified, that between the Committeee of Elections, and himself, they could not finde the the Indentures of returns; the House therefore Ordered That they should sit, and do service,

8. *Feb.* The Election of the General and Col. *Rich* at *Cyrencester*, which never durst see the light before, after about three years lying dormant, and no account made of it; is on a sudden reported to the House, approved of, and the Clerk of the Crown (for whom they have not invented a new name yet) ordered to mend the return of the Writ at the Bar.

* They likewise passed a Declaration to this purpose, that they are fully resolved to maintain, and shall and will uphold, preserve and keep the Fundamental Laws of this Nation; for and concerning the preservation of the lives, liberties, and properties of the People, with all things incident thereunto, with the alterations concerning Kings, and House of Lords already resolved in this present Parliament.

so they are Burgesses not returned, but ordered to sit. * 104. A Declaration, That they will keep the Fundamental Laws (lives) why did they erect the High Court of Justice, and do still continue Martial Law? (liberties) why do they press Seamen then? (properties) why do they levy illegal Taxes by Souldiers, and continue illegal Sequestrations.

Monday, Feb. 12. The Commons appointed the Circuits for those Judges that held, and passed an Act for compleating the Judges of the several Courts, filling up the rooms of those that held not, with some alterations in their former Commissions, and a new Oath to be given them, to swear well and truly to serve the Commonwealth in the Office of a Justice of the Upper Bench (which all our Laws call the *Kings Bench*) or Common Pleas, according to the best of their skill and cunning.

105. The Judges Circuits appointed, the Benches filled up, and their Oaths altered.

106. A new Oath for the Freemen of *London*, and other Corporations

The House passed an Act that the Oath under-written, and no other, be administred to every Freeman of the City of *London* at his admission, and of all other Cities, Burroughs, and Towns Corporate.

You

YOu shall swear, that you will be true and faithful to the Commonwealth of England, *and in order thereto, you shall be obedient to the just and good Government of the City of* London, *&c.*

107. An Act to repeal the Oaths of Allegiance Obedience, and Supremacy.

They passed an Act also to repeal the several Clauses in the Statute, 1 *Eliz.* & 3 *Jacob.* enjoyning the Oaths of Allegiance, Obedience and Supremacy, That the said Oaths, and all other Oaths of the like nature shall be, and are hereby wholly taken away, the said Clauses in the said Acts be made void and null, and shall not hereafter be administred to any Person, neither shall any place or office be void hereafter by reason of the not taking of them, or any of them, any Law, Custome, or Statute to the contrary notwithstanding.

108. Another Declaration and Protestation of the secured and secluded Members.

In opposition to these tyrannous, destructive, illegal and trayterous proceedings of forty or fifty cheating Schimaticks, sitting under the force, and promoting the Interests of will and power, of the rebellious Councel of Officers in the Army; The secured and secluded Members of the House of Commons Declared as followeth,

A publick Declaration and Protestation of the secured and secluded Members of the House of Commons; against the treasonable and illegal late Acts and proceedings of some few Confederate Members of that dead House, since their forcible Exclusion, 13. Feb. 1648.

WE the *secured* and *secluded Members* of the late *House of Commons*, taking into our sad and serious Considerations the late *dangerous*, *desperate*, and *treasonable proceedings* of some few Members of that House (not amounting to a full eighth part of the House, if divided into ten) who confederating with the Officers and General Councel of the *Army*, have forcibly detained and secluded us (against the *Honour*, *Freedom*, and *Priviledges of Parliament*) from *sitting* and *voting* freely with them; for the better setling of the *Kingdoms peace*; and contrary to their *Oaths* of *Allegiance* and *Supremacy*, their *Protestation*, the *Solemn League and Covenant*, and sundry *Declarations* and *Remonstrances*

monſtrances of both *Houſes*, to His late *Murthered MAJESTY*, *His Heirs and Succeſſors*, the whole *Kingdoms* of *England*, *Scotland* and *Ireland*, and to all *forreign States* and *Nations* (ſince our excluſion and forced abſence from their *Counſels*, by reaſon of the Armies force) moſt preſumptuouſly arrogated and uſurped to themſelves the Title of, *The Supreme Authority of this Kingdome*; and by colour and pretence thereof have *wickedly* and *audaciouſly* preſumed, without and againſt our *privities* or *conſents*, and againſt the *unanimous Vote of the Houſe of Peers*, to erect a *High Court of Juſtice* (as they terme it) though never any Court themſelves, to Arraign and condemn *His Majeſty*, againſt the *Laws of God*, and the *municipal Laws* of the Realm; which *Court* (conſiſting for the moſt part of ſuch *partial* and *engaged Perſons*, who had formerly vowed *His Majeſties deſtruction*, and *ſought His blood*) moſt *illegally* and *unjuſtly* refuſed to admit of *His Majeſties juſt Reaſons* and *exceptions* againſt their *uſurped Juriſdiction*, and without any *lawful authority* or *proof* againſt Him, or *Legal Trial*, preſumed moſt *trayterouſly* and *impiouſly* to *condemn* and *murder Him*; and ſince that, have likewiſe preſumed to Try and Arraign ſome *Peers*, and others *free Subjects of this Realm* for their Lives, contrary to *Magna Charta*, the *Petition of Right*, the *Laws of the Land*, and *the liberty of the Subjects*, to the great *enſlaving* and *endangering* of the *lives* and *liberties* of all *free People* of *England*.

And whereas the ſaid *confederated Commons* have likewiſe tyrannically and audaciouſly preſumed, contrary to their *Oaths* and *Engagements* aforeſaid, to take upon them to *make Acts of Parliament* (as they terme them) without our privity or aſſents, or the joynt conſent of the *King* and *Houſe of Lords*, contrary to the Uſe and Priviledges of *Parliament* and known *Laws* of the *Land*, and by pretext thereof have trayterouſly and wickedly endeavoured to *Diſ-inherit* the Illuſtrious *CHARLES Prince of Wales*, next Heir to the Crown, and actual *KING* of *England*, *Scotland*, *France*, and *Ireland*, immediately after His ſaid *Royal Fathers barbarous Murther*, *by Right of deſcent*; and proclaimed it *Treaſon* for any Perſon to proclaim him *KING*; (whereas it is *high Treaſon* in them thus to prohibit His proclaiming) and have likewiſe trayterouſly & impudently encroached

a *tyrannical* and *lawleſs power* to themſelves to vote down our ancient *Kingly* and *Monarchical Govern ment*, and the *Houſe of Peers*; and to make a *new Great Seal* of *England* without the *Kings Portraicture* or *Stile*, and to alter the ancient *Regal* and *Legal Stile of Writs* and *proceedings* in the *Courts of Juſtice*, and to create *new Judges* and *Commiſſioners of the Great Seal*, and to diſpenſe with their *Oaths* of *Supremacy* and *Allegiance*, and to preſcribe *new Oaths* unto them contrary to Law (though they have no *Authority* by any Law, Statute, or cuſtome to adminiſter or injoyn an *Oath* to any man) and thereby have *trayterouſly* attempted to alter the fundamental *Laws* and *Government* of this *Kingdome*, and to ſubvert the *freedome*, *priviledges*, and *being* of *Parliaments*; for which Treaſons, *Strafford* & *Canterbury* (though leſs criminal) loſt their *Heads* this laſt *Parliament*, by ſome of their own proſecutions, and the judgement of both Houſes.

We in diſcharge of our reſpective duties and obligations both to God, the King, our own Conſciences, our bleeding, dying Kingdoms, and the ſeveral Counties, Cities and Burroughs for which we ſerve, do by this preſent Writing, in our own Names, and in the Names of all the Counties, Cities, and Burroughs which we repreſented in Parliament, publickly declare, and ſolemnly proteſt before the All-ſeeing God, the whole Kingdoms of *England*, *Scotland* and *Ireland*, and the world, that We do from the bottome of our hearts abominate, renounce and diſclaim all the ſaid pretended Acts, Vores, and proceedings of the ſaid confederate Members (acted under the Armies power againſt our conſent) as treaſonable, wicked, illegal, unparliamentary, tyrannical, and pernitious both to the King, Parliament, Kingdoms, and all the free-born People of this Realm; extreamly diſadvantagious and diſhonourable to our Nation, ſcandalous to our Religion, and meer forcible Uſurpations and Nullities void in Law to all intents and purpoſes; which we, and all the Freemen of this Kingdome, and all the Kingdoms and Dominions thereto belonging, are bound openly to diſavow, oppugne, and reſiſt as ſuch, with our purſes, arms, lives, to the laſt drop of our blouds, and to which, neither We, nor any other can, ought, or dare to ſubmit or aſſent in the leaſt degree, without incurring the guilt of *High Treaſon*, and the higheſt *perjury*, *infamy*, and *diſloyalty*

diſloyalty. And in caſe the ſaid confederate ſhall not ſpeedily retract, and deſiſt from thoſe their treaſonable practiſes, and tyrannical uſurpations; (which We cordially deſire and intreat them by all obligations of love and reſpect they have to God, Religion, their King, Country, and Poſterity timely to do.) We do hereby denounce and declare them to be Traytors and publick Enemies both to the King and Kingdome, and ſhall eſteem and proſecute them, with all their wilful Adherents, and voluntary Aſſiſtants as ſuch, and endeavour to bring them to ſpeedy and condign Puniſhment, according to the *Solemn League and Covenant*; wherein, We truſt the whole *Kingdom*, all thoſe for whom We ſerve, and the *Lord of Hoſts* himſelf to *whom* We have ſworn and *lifted up our hands, hearts*, and *fervent prayers*, will be aiding and aſſiſting to us, and all our Bretheren of *Scotland* and *Ireland* who are *united* and conjoyned with us in *Covenant to our* GOD, and *Allegiance* to our *Sovereign King* CHARLES *the Second*, who (we truſt) will make good all His deſtroyed *Fathers conceſſions* which really concern our *peace* or *ſafety*, and ſecure Us againſt all *force* and *tyranny* of our *Fellow-ſubjects*; who now, contrary to their Truſts and former Engagements, endeavour by the meer power of that Sword (which was purpoſely raiſed for the protection of our *Perſons, Government, Religion, Laws, Liberties, the* KINGS *Royal Perſon and Poſterity, and the Priviledges of Parliament*) to Lord it over Us at their pleaſure, and enthral and enſlave Us to their *armed violence*, and *lawleſs Martial wills*, which we can no longer tolerate nor undergo, after ſo long fruitleſs and abuſed patience in hope of their repentance.

About the ſame time came out another Paper, entituled:

109. A Paper entituled [*Four true Poſitions &c.*]

Four true and conſiderable Poſitions for the ſitting Members, the new Court of Juſtice, and new Judges, Sheriffs, Officers, Lawyers, Juſtices, and others, to ruminate upon.

1. THat the whole Houſe of Commons in no Age had any Power, Right, or Lawful Authority to make any valid or binding Act or Ordinance of Parliament; or to impoſe any Tax, Oath, Forfeiture, or capital puniſhment upon any Perſon or

Free-men of this Realm, without the *Lords* or *Kings concurrent* assents; much less then can a small remnant onely of the Members of that House do it, sitting under an armed force (which nulls and vacates all their *Votes* and proceedings, as the *Ordinance* of 20 *August*, 1647. declares) whilst most of their Fellow Members are forcibly detained and driven thence, as Mr. *St-John* proves in his Speech concerning Ship-mony, p. 33. and in his Argument concerning the Earl of *Strafford's* Attainder, p. 70, 71, 76, 77, 78. and Sir *Edw. Coke* in his 4. *Instit.* c. 1.

2. That the few Members now sitting in, and the House of Commons being no Court of Justice of it self, and having no power to hear and determine any civil or criminal causes, nor to give an Oath in any case whatsoever, cannot by the Laws and Statutes of the Realm, nor by any pretext of authority whatsoever, erect any new *Court of Justice*, nor give power or authority to any new *Judges*, *Justices*, or *Commissioners* to arraign, try, condemn or execute any Subject of meanest quality, for any real or pretended crime whatsoever; much less their own Sovereign Lord the *King*, or any *Peers* of this Realm, who ought to be tryed by their Peers, and by the Law of the Land alone, and not otherwise. And that the condemning and executing the King, or any Peer, or other Subject by pretext of such an illegal Authority, is no less than High Treason and wilful Murther, both in the Members, and Commissioners, Judges or Justices, giving and executing sentence of death in any such arbitrary and lawless void Court, or by vertue of any such void and illegal Commissions.

3. That the House of Commons and Members now sitting, have no power nor authority to make or alter the Great Seal of *England*, or grant any Commissions to any Commissioners, Judges, Sheriffs, Justices of the Peace, or any other. That all the Commissions granted by them, under their New, or any other Seal, are meerly void and illegal; and all the new Writs and proceedings in Law or Equity before any Judges, Justices, Sheriffs, or other Officers made by them, meerly void in Law to all intents, *& coram non judice.*

4. That the denial of the KINGS Title to the Crown, and plotting the means to deprive him of it, or to set it upon anothers Head, is High Treason, within the Statute of 25. *Ed.* 3. ch. 2. And that the endeavouring to subvert the Fundamental Laws and

and Government of the Realm of *England* [by King, Lords, and Commons] and to introduce a tyrannicall or arbitrary Government againſt Law, is High Treaſon at the Common Law (eſpecially in Judges and Lawyers) not taken away by any Statute. Both which Mr. *St. John* in his Argument at Law, concerning the Bill of attainder of high Treaſon of *Tho.* E. of *Strafford*, publiſhed by order of the Com. Houſe, *An.* 1641. *p.* 8. 14. to 33. and 64. to 78. And in his Speech as a conference of both Houſes of Parl. concerning Ship-mony, *An.* 1640. hath proved very fully by many reaſons and preſidents, and *Coke* in his 7. *Report*, *f.* 10, 11, 12, and 3. *Inſt. c.* 1 That the Commons now ſitting, in making a new Great Seal, without the Kings Image or Style, in granting new illegal Commiſſions to Judges, Juſtices of Peace, Sheriffs and other Officers, in the name of *Cuſtodes Angliæ* in the Generall, in omitting and altering the Kings Name, Style and Title in Writs, Proceſſe Indictments, and proceedings at the Common Law, and thereby indeavouring to diſ-inherit the *Prince*, (now *lawfull King* by and ſince his Fathers bloudy murther) and to alter and ſubvert the Fundamentall Laws and Government of the Realme, by ſuch commiſſions and proceedings, and by the power of an Army to enforce them; and the Judges, Juſtices, Sheriffs, and other Officers who accept of ſuch Commiſſions, and all thoſe (eſpecially Lawyers) who voluntarily aſſiſt, conſent, and ſubmit to ſuch Commiſſions and Alterations by ſuch uſurped illegall Authority, and the Commiſſioners ſetting in the new Courts of Juſtice are moſt really guilty of both theſe high * Treaſons (in which there are no Acceſſories) and leſs excuſable than *Strafford* or *Canterbury*, whom ſome of theſe new Judges and ſitting Members impeached and proſecuted to death for thoſe very Treaſons themſelves now act in a more apparent and higher degree than they, and (in reſpect of their oaths, covenant, callings and places) are more obliged to maintain the *Kings* Title, the Fundamental Laws and Government, the Rights and Liberties of the Kingdome and Parliament than they; and therefore (if they perſevere therein) may juſtly expect the ſelf-ſame capital puniſhments they underwent, if not far worſe; eſpecially ſince they attempt to reduce the *antienteſt Kingdom of all Chriſtendom*, into the *punieſt* and moſt *contemptible State* in all the World; and thereby to render us the moſt *infamous*, *perfidious* and *diſhonorable*

*Whereupon ſix Judges refuſed to accept any new Commiſſions, or to act as Judges.

honorable Nation under Heaven, both to the present and all succeeding Ages: which must needs make the contrivers and Abetters thereof the most detestable Traytors and publick Enemies to their *King* and *native Country*, that ever this Realm brought forth in any Age. Repent therefore of these your Treasons, and amend your lives, if you eppect the least hope of pardon from God or man; and expiate all your former *high misdemeanours*, by engaging all your power and endeavours to settle all things in *Church* and *State* according to your primitive engagements; instead of accumulating one sin and Treason to another, which will prove your certain ruin in conclusion, not your safety.

About the same time, and (it's thought) from the same Author came forth a Paper bearing the title of,

110. Six propositions of undoubted verity. Another paper. Every Act of Parliament relateth to the first day of the same parl. but it cannot be, that any Act passed in the Reign of King *Charls* the second, should relate to the first day of this Parliament, which happened in the sixteenth yeare of *Charles* the first, *ergo* this Parliament is determined by the death of King *Charles* the first.

Six Propositions of undoubted verity, fit to be considered in our present exigency by all loyall Subjects and conscientious Christians.

1. That this Parliament is *ipso facto* Dissolved by the Kings death; He being the Head, Beginning and End of the Parliament, called only by his Writ to confer with H m as His Parliament and Council about urgent affairs, concerning Him and His Kingdom, and so was it resolved in 1. *Hen.* 4. *Rot. Parl. n.* 1. 14 *H.* 4. *Coke* 4. *Instit. p.* 46. & 4. *c.* 4. *f.* 44. *b.*

2. That immediately upon this Parliaments dissolution by the Kings death, all Commissions granted by the King, or by one or both Houses to the Generall or Officers of the Army, the Commissioner of the great Seal of *England*, Judges of the Kings Courts, Justices of Peace, Sheriffs, Excise-men, Customers, and the like; with all Committees, and Ordinances of one or both Houses made this Parliament, did actually determin, expire, and become meerly void in Law to all intents and purposes, and cannot be continued as good and valid by any power whatsoever.

3. That instantly after the Kings decease, the Imperiall Crown

Crown of this Realm of *England*, and of the Kingdoms, Dominions, and Rights thereunto belonging, was by inherent birth-right, and lawful undoubted succession and descent, actually vested in the most Illustrious *Charles*, Prince of *Wales*, being next lineal Heir of the Blood-royal to his Father King *CHARLES*; and that He is actual *KING* thereof, before any ceremony of Coronation, as is resolved in full Parliament, by the Statute of 1 *Jacobi* ch. 1. and by all the Judges of *England* since *Coke* 7. *Report.* f. 10, 11. in *Calvins* case, Whose Royal Person and Title to the Crown all loyal Subjects are bound by their Oaths of Supremacy, Allegiance, and Solemn League and Covenant, with their Estates, Lives, and last drop of their bloods to maintain against all Opposers.

4. That all Peers of the Realm, Mayors, Sheriffs, chief Officers of Cities and Corporations in this Kingdom, are obliged by their Places and Allegiance, without any delayes or excuses, to declare and proclaim Prince *Charles* to be rightful King of *England*, and of all Kingdoms and Rights thereunto belonging, notwithstanding any illegal prohibitions or menaces to the contrary by any usurped Power whatsoever, under pain of being guilty of High Treason, and forfeiting their City and Corporation Charters, in case of supine neglect or refusal thereof; through fear, terror, or any sinister respect.

5. That till King *Charles* be setled in his Throne, or give other Order, the present Government of the Kingdome is legally vested only in the Lords and Peers of the Realm, being by Inheritance, custome and Law in such case, the Kings and Kingdoms great Councel, to whose lawful commands all other Subjects ought to yeeld ready Obedience.

6. That every professed actual endeavour by force or otherwise to alter the fundmental Monarchical Government, Laws, and legal style and proceedings of this Realm: and to introduce any new Government or Arbitrary proceedings contrary thereunto, is no less than high Treason, and so declared and resolved by the last Parliament, in the cases of *Strafford* & *Canterbury*, the loss of whose heads (yet fresh in memory) should deter all others from pursuing their pernitious courses, and out-stripping them therein; they being as great, potent, and as far out of the

reach

reach of danger and justice in humane probability as any of our present Grandees.

111. A new Stamp for Coyn.

That no Act of Rebellion and Treason might be unattempted by this Conventicle, no part of the Regalities of the King, or Peoples Liberties unviolated; they considered of a New Stamp to be given to all Coyn (for the future) of this Nation.

112. Instructions for the Councel of State.

13. *Feb.* They considered of Instructions and Power to be given by way of Commission to the said Committee, or Councel of State. 1. For the Government of the two Nations of *England* and *Ireland*, appointing a Committee to bring in the Names of these *Hogens Mogens*, and to perfect their Instructions: For, (1) Ordering the Militia. (2) Governing the People (they were wont to be Governed by known Laws, not by Arbitrary Instructions, and by one King, not by forty Tyrants, most of them base Mechanicks, whose education never taught them to aspire to more knowledge than the Office of a Constable.) (3) Setling of Trade. (most of them have driven a rich Trade in the work of Reformation for themselves.) (4) Execution of Laws (this was wont to be done by legal sworn Judges, Juries, and Officers.)

113. Powers given to the Councel of State.

14. *Feb.* The Committee reported to the House the Names of the Comittee of State, or Lords States General. Also the Power they were to have, *viz.* 1. Power to command and settle the Militia of *England* and *Ireland*. 2. Power to set forth Ships, and such a considerable Navy as they should think fit. 3. Power to appoint Magazines and Stores for the Kingdoms of *England* and *Ireland*, and dispose of them from time to time for the service of both Nations, as they shall think fit. 4. Power to fit & execute the several powers given for the space of one whole year: many other powers not yet revealed, and daily increased; besides what improvements of Power they are able to make hereafter, having the Militia of an Army (that formidable Hobgoblin) at their command. They have two Seals appointed, a Great Seal, and a Signet Patents for Sheriffs, and Commissions for Justices, and Oaths for both, were reformed according to the Godly cut.

When

When the Committee of State was nominated in the House, divers Gentlemen of the best quality were named; whom they could not omit, because they had sat with them, and concurred in all their great debates: although they had more confidence in those petty Fellows, who had, or would sell their souls for gain, to make themselves Gentlemen; to debar the said Gentlemen of quality therefore and make them forbear, they invented an expurgatory oath or *Shiboleth* to be taken by every Member before his initiation, whereby they should declare, *That they approved of what the House of Commons and their High Court of Justice had done against the* KING, *and of their abolishing of Kingly Government, and of the House of Peers, and that the Legislative and Supreme power was wholly in the House of Commons* 22. Febr. *Cromwell* (Chairman of that Committe of State) reported to the Commons *That according to the Order of that House, 19 of the said Members had subscribed to that form of the Oath, as it was originally penned: but 22 of them scrupled it, whereof all the Lords were part, not but that they confessed (except one) The Commons of* England *to be the supreme power of the Nation, or that they would not live and die with them in what they should do for the future, but could not confirm what they had done in relation to the King and Lords:* so it was referred to a Committee to consider of an expedient.

114. An expurgatory Oath put upon the Councel of State, scrupled by some of the Members, and moderated by *Cromwel* in opposition of the Levellers.

Cromwell having made use of the Levellers (Assertors of publick Liberty) to purge the House of Commons, and abolish the Lords House, doth now endeavour to cast down the Levellers once more, finding himself raised to so great an height, that he cannot endure to think of a levelling equality; he oversways the Council of War, over-awes the House of Commons, and is Chairman and Ring-leader of the Council of State: so that he hath engrossed all the power of *England* into his own hands, and is become the Triple King, or Lord Paramount over all the Tyrants of *England*; in opposition therefore to the Levelling

115. *Cromwel*'s usurp'd power. When the Ho. of Commons opposed *Cromwels* & *Iretons* designs, they cried up the Liberty of the people, and decried the Authority of

Parliament, until they had made use of the Levellers to purge the House of Commons, and make it subservient to their ends, and abolish the House of Lords: and then they cried up the Supreme Authority of their House of Commons, and decried the Liberty of the People, and the Levellers, who upheld it. So *Charles* the 5. first made use of the Popes Authority to subdue the Protestants of *Germany*, and then used an Army of protestants to subdue and imprison the Pope.

party, and for the upholding of his own more Lordly Interest, he procured an expedient to Alter and Reform the said Oath, which at last passed in this form following:

February the 22. 1648.

116. The form of the said reformed Oath.

I A. B. *being nominated a Member of the Councel of State by this present Parliament, do testifie, that I do adhere to this present Parliament, in the maintenance and defence of the publick liberty & freedome of this Nation, as it is now Declared by this Parliament (by whose Authority I am constituted a Member of the said Councel) and in the maintenance and defence of their resolutions concerning the settling of the Government of this Nation for the future, in way of a Republick without King or House of Peers, and I do promise in the sight of God, that (through his Grace) I will be faithful in performance of the trust committed to me as aforesaid, and therein faithfully pursue the Instructions given to the said Councel by this present Parliament; and not reveal or disclose any thing in whole, or in part, directly, or indirectly, that shall be debated or resolved upon in the Councel, without the command or direction of the Parliament, or without the order or allowance of the major part of the Councel, or of the major part of them that shall be present at such Debates or Resolutions: In confirmation of the premises, I have hereto subscribed my Name.*

Here you see a curtain drawn between the eyes of the people, & the clandestine machinations and actings of this Councel.

117. The C. of War debate to massacre the *Kings party*. See *Will. Sedgwicks* [*Justice upon the Armies monstrance.*]

About this time it was debated at the Councel of War to *massacre and put to the Sword all the* KINGS *party*, the Question put, was carried in the Negative but by two Voices. You see what Furies pursue these sinful Wretches, and what dangerous rocks they dash upon, in order to that base and cowardly principle of *Self-preservation.*

118. Schismatical Petitions for 2 or 3 principal Gentlemen in each County to be brought to Justice.

The Army hath in every County of *England* packs of schismatical Beagles, whom they hollow on to hunt in full cry (by Petitions to the House) after the blood of such whom they design for slaughter. Many Petitions have been lately presented, *That two or three principal Gentlemen of the* KINGS *party (by name) in each County, might be sacrificed to Justice, whereby the Land might be freed from blood-guiltiness.*

Divers

Divers Merchants have contracted to send forth several Ships for the next Summers Fleet, at their own charge.

119. Merchants arming Ships for this Summers Fleet.

The Prodigious High Court of Justice was revived in order to the Trial of the Earl of *Holland*, the Earl of *Cambridge*, the Earl of *Norwich*, the Lord *Capel*, and Sir *John Owens*; the Commissioners were changed (that they may engage as many men in arbitrary, illegal tyranny and bloud-shed as they can.)

120. The High Court of Justice revived.

Hamilton was exceedingly importuned by *Cromwell* (who took a journey to *Windsor* purposely) *to name such Members of Parliament and Citizens as had any hand in calling him in*: this he either could not or would not do; he had (in order to his own ambition) first exasperated the Independent party against the KING, and afterwards sought their ruin by engaging for the KING: and he doubted that to undertake so odious an office as to play the Devils part, and be an Accuser of his Brethren, would but set a glosse upon the Independents intended severity against him. Being brought to St. *James's* in order to his Trial, *Cromwell* (hoping to train him to a confession) caused all his Creatures to carry a favorable countenance to him. *Bradshaw* smoothed him up with soft language at the Bar; the Lord *Gray* of *Grooby*, Col. *Wayte*, and *Hugh Peters*, gave him hopes that they would not much obstruct his pretended Plea of Quarter from *Lambert* upon Articles; *Peters* avouched Quarter so given by *Lambert*, notwithstanding Colonel *Wayte* (when he made Report to the House of Commons how he took him) affirmed, *He yielded at discretion, and* Lambert *was not then neer him*: after this *Peters* gives *Hamilton* a Visit, who gives *Peters* thanks and money to boot for his late favour done him in Court; and knowing him to be an Instrument of *Cromwells*, imployed him as his Solicitor to the Members of the House and Army. *Peters* prayes for *Hamilton* openly as his *Lord* & *Patron*, still feeding him with hopes *If he would impeach their Opposites*: yet still he waved this, offering them 100000l. for his life, and often inculcating what services he would do them in *Scotland*; for which purpose he offered to joyn Interests with *Argyle*, and be a Servant to their Party. Messengers were posted into *Scotland* to know *Argyles* pleasure: But he had been over-reach't formerly by *Hamilton*, and he was resolv'd to admit no Competitor, which would have eclipsed his greatnesse,

121. The History of *Hamiltons* imprisonment & death. See *Digitus Dei* upon Duke *Hamilton*.

Quære, What an accusation extorted for fear of death, and hope of life is worth? *Hamilton* confessed at his death, he had been much pressed; yet had named no man. *Argyle*.

neſſe, and have made him not the ſole Patron of Scotiſh Independency: Beſides, the Kirk ſo far hated *Hamilton* that they preached off his Head in *Scotland*, before it was cut off in *England*: the High Court of Juſtice lingered long in expectation of an Anſwer; at laſt ſuch a one came as decryed all reconciliation with *Hamilton*, whereupon the ſcene was altered preſently, *Bradſhaw* handled him roughly at the Bar, *Mar.* 6. Thoſe which ſmiled on him before, frowned now; being asked *what he could ſay?* he pleaded *Quarter*, and vouched *Peters* Teſtimony: who with a brazen face renounced his former Teſtimony, ſaying, *He now remembred no ſuch matter, but that the Army ſcorned to give quarter to him, or any of his Nation:* whereupon he was condemned to the Block; which Sentence was executed upon him, *March*, 9. yet they fed *Hamilton* with vain hopes to the laſt gaſp, for fear he ſhould give glory to God, and throw ſhame and infamy upon themſelves by a Chriſtian confeſſion of his, *Argyles*, and their mutuall villanies: beſides, ſuch a diſcovery would have made *Argyle* leſſe ſerviceable to them in *Scotland*, whoſe next deſign is to cajole the Kirk by ſeeming an Enemy to the Sectaries of *England*, and pretending to ſerve the Presbyterian Intereſt. Thus I conclude the Tragedy of Duke *Hamilton.*

When *Hamilton* was upon the Scaffold, divers Officers of the Army, and *Hugh Peters* converſed familiarly with him to the laſt, and Meſſengers paſſed to and fro.

122. The Death of the Lord *Capel.*

In oppoſition to whom, I will briefly relate the Tragedy of the noble Lord *Capel*, a Gentleman of great courage and integrity. He had made an adventurous eſcape out of the *Tower*, but was re-taken by the treachery of a limping Water-man, (If I knew his Name I would beſtow a blot of Inke upon him.) He pleaded for himſelf *Articles of Surrender* (which were reall in him, though not in *Hamilton*) *that divers that were in* Colcheſter, *and in his condition, had been admitted to compound*; and *deſired to be referred to Martial Law*, which being denied, He moved, *he might not be debarred of Additionall defence; if he muſt be judged by the Common Law, then he demanded the full benefit of that Declaration of the Commons*, 19. Febr. 1648. which Enacteth and Declareth, *that though King and Lords be laid aſide, yet all other the fundamental Laws ſhall be in force concerning the lives, liberties, and properties of the Subject:* and recommended to them *Magna Charta*, *The Petition of Right*, 3. *Caroli.* and the Act made, *H. 7. for indempnity of all ſuch as adhered to the preſent King in poſſeſſione*, alſo

also the exception in the Act of Attainder of *Strafford* and *Canterbury*, which sayes, *Their Cases shall not be used as a precedent against any man:* He desireth to see his Jury, and that they might see him, and so might be tried by his Peers, saying, *He did believe no precedent could be given of any Subject Tried, but by Bill of Attainder in Parliament, or by a Jury.* But all was but to charm a deaf Adder. He was a gallant Gentleman, and they durst not let him live.

The KINGS Library at St. *James's* was given (I hear) to that ignorant Stage-player *Hugh Peters.*

123. The Kings Library at Saint *James's* given to *Hugh Peters*

26. *Feb. John Lylburne* delivered to the Commons (by the name of *the Supreme Authority of* England) *A Petition in the name of many thousand well-affected*, with a Book annexed, entituled, *Englands new Chains discovered.* The most material points thereof are, that they find fault with *The Agreement of the People*, presented to the House by Liev. Gen. *Hammond*, from the Officers of the Army, because,

124. L. C. *Lylburns* Petition to the House, with *Englands new Chains* annexed. See the Hunting the Foxes, &c. p. 8.

1. *They like not there should be any interval's between the end of this Representative now sitting, and the beginning of the next, whereby during the said Interval the Supreme power will be left in the new erected Councel of State, a constitution of a new and unexperienced nature, which may design to perpetuate their power, and keep off Parliaments and Representatives for ever.*

2. *They conceive no less danger in that it is provided that Parliaments for the future, are to continue but six Months, and the Councel of State eighteen Months, in which time having command of all the Forces by Sea and Land, they will have great opportunities to make themselves absolute, and unaccountable.*

3. *They are not satisfied with that Clause in the said Agreement*, That the Representative shall extend to the erecting and abolishing Courts of Justice; *since the alteration of the usual way of Trials by twelve sworn men of the Neighbour-hood may be included therein, as hath lately been done by erecting a new High Court of Justice criminal under a President and Commissioners, or Tryers picked and chosen in an unusual way, all liberty of exceptions against them being over-ruled.*

4. *They are not satisfied with that Clause in the Agreement*, That the Representative have the Highest final Judgement, *since their*

their Authority is onely to make General Laws, Rules and Directions for Courts, and Persons assigned by Law to execute them, unto which the Representatives themselves are to be subject, it being a great partiality and vexation to the People, that the Law-makers should be Law-executors.

5. *They finde fault with the Excise, calling it,* The great obstructor of all Trade, far surmounting Ship-mony, and all Patents, Projects, and Monopolies before this Parliament.

6. *The Act for Pressing of Sea-men.*

7. *The General and Officers obstructing the Press.*

8. *The Chancery and Courts of Justice not regulated.*

Hunting the Foxes p. 8. sayes, *It was* Iretons *invention.*

9. *They complain, That a Councel of State is hastily chosen as Guardians of the Peoples liberties, with a vast and exorbitant power:* 1. *To command, order, and dispose of all Forces by Sea and Land, and all Magazines of Store in* England *and* Ireland. 2. *To dispose all publick Treasure.* 3. *To command any Person whatsoever before them, to give Oath for discovery of Truth.* 4. *To Imprison any that shall disobey their Commands, and such as they shall judge contumacious;* what now is become of *Magna Charta*, and the Liberties of the People, *That no mans person shall be Attached or Imprisoned, or Disseised of his Free-hold or Free-customes but by lawful Judgement of his Equals?* This Councel of State hath got all power into their hands (a project long laboured) and now their next motion will be (*pretending ease to the People*) to Dissolve this Parliament.

10. *The Petitioners complain, that in order to settle their Tyranny, the Councel of Officers insisted upon it,* That a motion should be made to the House of Commons, to inable them to put to death by Martial Law all such as they shall judge, by Petitions or otherwise, to disturb the present proceedings, whether Members of the Army, or not. And when it was urged, *That the Civil Magistrate should do it:* it was answered, * *They could hang twenty ere the Magistrate could hang one.* The prayer of their Petition is:

* The saying of Col. *Hewson* the one-eyed Cobler. See Hunting the Foxes, p. 10.

1. *That the Self-denying Ordinance be observed.*

2. *That they would consider how dangerous it is, to continue the Highest Military Commands so long in the same persons, especially acting so long distinct, and of themselves, as those now in being have done,*

done, and in such extraordinary wayes, whereunto they have accoustomed themselves, which was the original of most Tyrannies.

3. *That they would appoint a Committee of Parliament-men, to hear, and determine all controversies between Officers and Officers, Officers and Souldiers, to mitigate the rigour of Martial Law, and to provide it be not executed upon any, not Members of the Army.*

4. *That they will open the Presses.*

5. *That they will dissolve this Councel of State, threatning so manifest Tyranny.*

6. *That they will severely punish all such as acting upon any Order, Ordinance, or Act of Parliament, shall exceed the power conferred on them.*

125. A second part of *Englands* New Chains.

After this came forth a *second part of* Englands *new Chains discovered*, setting forth the hypocrisie and perfidiousnes of the Councel of the Army and the Grandees, in cheating all Interests, King, Parliament, People, Souldiers, City, Agitators, Levellers, &c. which tells you, *That the Grandees walk by no principles of Honesty or Conscience*, but (as meer Politicians) are governed altogether by occasion as they see a possibility of making progress to their Designs, which course of theirs, they ever termed, *A waiting upon Providence*, that under colour of *Religion*, they might deceive the more securely. It tells you their intent is to Garrison all great Towns, to break the spirits of the People with oppression and poverty. It farther Declares, that these Grandees judge themselves loose when other men are bound; all Obligations are to them Transitory and Ceremonial; and that every thing is good and just as it conduceth to their Interest. That the Grandees never intended an Agreement of the People, but only to amuse that party, whilst they hastily set up a Councel of State to establish their Tyranny, that to prepare the way to this, they broke the House of Commons, took away the House of Lords, removed the King by an extrajudicial way of proceedings, and erected such a Court of Justice as had no place in the English Government. That the remainder of the House of Commons is become a meer channel through which is conveyed all the Decrees & Determinations of a private Councel of some few Officers. All these, and the Votes, *That the Supreme power is in the people, and the Supreme Authority in the Commons*

their

their Representative, were only in order to their Interests of *will* and *power*. That they place their security in the *divisions* of the People. That if the present House of Commons should never so little cross the ambition of these Grandees, they would shew no more modesty to them than they have done to the excluded Members; and so it concludes with a Protestation against their breaking the Faith of the Army with all Parties, their dissolving the Councel of Agitators, and usurping a power of giving forth the sense of the Army against the Parliament & People, against their *shooting to death the Souldier at Ware*, and their cruelties exercised upon other persons, to the debasing of their Spirits, and thereby new-moulding the Army to their Designs; against their playing fast and loose with the King and his Party till they had brought a new and dangerous War upon this Nation. They also protest against their dissembled Repentances, against their late extraordinary proceedings in bringing the Army upon the City (to the ruine of Trade) their breaking the House of Commons in peices, without charging the Members particularly, and then judging and taking away mens lives in an extraordinary way, as done for no other end but to make way for their own absolute Domination. They also protest against the Election and establishment of those High Courts of Justice, as unjust in themselves, and of dangerous precedent in time to come; as likewise against the Councel of State, and putting some of themselves therein, contrary to their own Agreement. They also protest against all other the like Meetings of those Officers, that on Thursday 2 *Feb.* Voted for so bloody a Law, as to hang whom they should judge disturbed the Army, as having no power either by such Councels to give the sense of the Army, or to judge any Person not of the Army, or to do any thing in reference to the Common-wealth.

See the Hunting of the Foxes, &c. p. 6, 7, 8.

Return to Sect. 2. & 5.

126. About this time also became publick a pretty Book, entituled [*The Hunting of the Foxes from New-market and Triplo to White-Hall by five small Beagles*] which tells you, That the Grandee-Officers of the Army to keep the Souldiers quiet, did formalize about an Agreement of the people whilst they carried on their platform of absolute tyranny (long since hatched by *Ireton*) by erecting a *Councel of State*; no sooner was this Monster born,

The Hunting of the Foxes from *Tryplo* and *New-market* by 5 small Beagles, p. 8.

born, but it devoureth half the Parliament of *England*, and now it is adorned it self with Regall magnificence, and majesty of courtly attendants, and like the 30 Tyrants of *Athens*, to head it self over the People; this is, and yet this is not our new intended King, there is a King to succeed, this is but his Viceroy. O *Cromwell!* whither art thou aspiring? the word is already given out amongst their Officers, *That this Nation must have one prime Magistrate or Ruler over them, and that the Generall hath power to make a Law to bind all the Commons of England:* This was most daringly and desperately avowed at *White-hall*, and to this temper these Court-Officers are now a moulding: He that runs may read and foresee a new Regality, thus by their Machivilian pretences and wicked practises, they are becom Masters and Usurpers of the name of the Army, and of the name of the Parliament under which Visors they have levelled and destroyed all the Authority of this Nation; for, the Parliament indeed and in truth is no Parliament, but a Representative Glass of the Council of War; and the Council of War but a Representative of *Cromwell*, *Ireton*, and *Harrison*: and these are *the All in all of the Nation*, which under the guises and names of *Parliament*, *Army*, *Generall Councel*, *High Court*, *and Council of State*, play all the strange pranks that are played. And further *p.*13. The conclave of Officers have sucked in the venome of all former corrupt Courts and Interests, the *High Commission*, *Star-Chamber*, *the House of Lords*, *the King and his privy Council*, are all alive in that Court called, *The Generall Councel of the Army.* 1. The *King* stood upon it, *That he was accountable to none but God, that He was above the Parliament and People*; and to whom will these men be accountable? to none on earth: and are they not above the Parliament? they have even a Negative voice thereover, formerly the Commons could passe nothing without the House of Lords, and now they dare passe nothing without the concurrence of the conclave of Officers: we were formerly ruled by *King*, *Lords*, *and Commons*; now by *a Generall*, *Court Martiall*, *and House of Commons:* what is the difference? the Lords were

The House by Votes 5. Dec. 1648. voted *the King's Concessions a ground*, *&c.* And the Army secured and expelled 250 Members for using liberty to vote according to their consciences, and over-rul'd this is more

those few left sitting to unvote in a thin House what was voted in a full House; thin to usurp a Negative Voice over them: return to sect. 18, 23, 28.

not Members both of the House of Peers, and of the House of Commons, but the Officers, (our martial Lords) are Members both in the House, or Councel of Officers, and in the House of Commons, we have not the change of a Kingdom to a Commonwealth; we are onely under the old cheat, *A transmutation of Names*, but with the addition of *new Tyrannies*, for *casting out one unclean Spirit, they have brought with them in his stead seven other unclean Spirits more wicked than the former, and they have entred in and dwell there, and the last state of this Common-wealth is worse than the first.* Lastly, they set down *some illegall proceedings and Examinations before the Council of War, exceeding the High Commission, and Star-Chamber.*

127. The Author's censure of the Levellers.

These three Books shew the late endeavours of the *Agitators*, and that *party*, which the *Grandees* politickly mis-call (to cast an *odium* upon them) *Levellers*; they are the truest Assertors of *humane Liberty*, and the most constant and faithful to their Principles and party of any in the Army, and though they have many redundancies and superfluous Opinions fit to be pruned off by conversing with discreet honest men, or rather by a discreet and just publick Authority, (which I am confident is feasible, since *their principles* concenter in the *publick*, not in their own *private interest and Opinions*, and are no other ways changable than conduceth with the emergent occasions of the Commonwealth) yet they are but like the water-boughs of a healthy fruit-Tree, rather troublesom than dangerous, whereas the designs of their Antagonists (like rocks under water, or poyson in well cooked meat) destroy before they are discovered.

128. The Author's censure of His Majesties *Post-humus* Work, entituled, *The Pourtraicture of His Sacred Majesty in His Solitudes and Sufferings.*

About this time arose a Phœnix out of *His Majesties* Ashes, that most excellent issue of His Brayn, entituled, [THE POURTRAICTURE OF *HIS SACRED MAJESTY* IN HIS SOLITUDES AND SUFFERINGS.] A Book full fraught with *wisdom, Divine and Humane*; shewing Him to be *more than Conqueror* of his Enemies in his rare *Christian patience and charity*; the very reading of it *aggravateth our loss* of so Gracious and excellent a *Prince*, that had learned the whole method of *humane perfection* in the School *of adversity*. *Herod* and his *Jews* never persecuted *Christ* in his swadling-clouts with more industrious malice, than the Antimonarchicall *Independent Faction*, this

this Book in the Presses and shops, that should bring it forth into the world, knowing that as the *remembrance of Heaven strikes a horror into us of Hell*; So the *contemplation of his vertues will teach us to abhor their vices.*

March 8. 1648. The Commons assented to a *new Form* of a Writ for *election of Knights and Burgesses for the Parliament.*

129. The form of Writs for Elections changed.

But three dayes before it was reported to the House from the Councel of State, what number of Horse and Foot they thought fit to be kept up for the service of *England* and *Ireland*, and the Monthly charge, which estimated comes to 160000l. *per mensem.* You see we are likely to finde these our new Lords such gracious Masters to us, that (*as the second part of Englands New Chains* saith) *We shall have Taxes, though we have neither Trade nor Bread.* In the Earle of *Essex* time (when the War was at the highest) the Monthly Tax came but to 54000l. a Month, yet had we then seven or eight Brigades besides his Army and Garrisons; but that the Faction of Saints may carry on the work of a thorow Reformation in our purses, as well as they have done in the Church and Commonwealth, they first raised the Tax to 60000l. a Month for *England*, besides 20000l. a Month pretended for *Ireland* (but I believe little of it slips through their sanctified fingers to go thither.) And now (to shew they can use double dealing against the Ungodly) they would double the sum from 80000l. to 160000l. a Month; this is to break our hearts with poverty, and make them take what impressions of slavery they please to set upon them: this Conventicle of State will engross all the Coyn and Treasure of the Land into their own hands, and then subdue us therewith, and make us (like slavish *Egyptians*) *sell our selves, and our Lands for Bread, or money to buy Bread*, when (that inseparable companion of a long War) *Famine* approacheth, which their barbarous and illegal *Sequestrations* (unstocking mens Farms and laying them waste) will inevitably bring upon us; they have more hope to subdue and lessen the number of their Opposites *by famine and want, than by the Sword*; in order to which, they have destroyed the Trade of the City, and undone multitudes of Tradesmen, who being disabled to pay their Taxes, the Army cause all their Arrears to be leavied upon the City by a new Tax upon the rest of the Inhabitants and the Out-

130. A new establishment for the Army reported to the House from our new Masters the Councel of State.

landlords; and when *Cromwell* was told, *this would undo the City*, He answered, *It was no matter, the more were undone, the more would clap Swords to their sides, and come into the Army*: you see Souldiery is intended to be the chief Trade.

131. An Act for Abolishing the Kingly Office, &c.

March 17. 1648. The empty House of Commons in farther prosecution of their said Design, and to please their Masters of the Army, passed, printed, and published in the form and style of a Statute this Paper following, entituled,

An Act for the Abolishing the *Kingly Office* in *England*.

Since by the Law, the Crown cures all defects; how can the Kings blood be attainted?

WHereas Charles Stuart *late King of* England, Ireland, *and the Territories & Dominions thereunto belonging, hath by Authority derived from Parliament, been, & is hereby declared to be justly condemned, adjudged to die & put to death, for many treasons, murthers, and other hainous offences committed by him, by which Judgement he stood, and is hereby declared to be attainted of high Treason, whereby his Issue & Posterity and all others pretending title under him, are become uncapable of the said Crowns, or of being King or Queen of the said Kingdom or Dominions, or either or any of them.*

We have sworn faith & Allegiance to K. *Charles* the first, His lawful Heirs and Successors, & our Vow is recorded in Heaven from which no power on earth can absolve us. See the oaths of Allegiance, Obedience, and Supremacy. The Statute of Recognition, 1 *Jac.* But the Commons are now Supreme, as in imitation of the Pope to bring this Clause in practise, *Licet de jure non possumus; tamen pro plenitudine potestatis nostra volumus, &c.*

Be it therefore Enacted and ordained, and it is Enacted, Ordained, and Declared, by this present Parliament, and by Authority thereof, That all the People of England *and* Ireland, *and the Dominions and Teritories thereunto belonging, of what degree or condition soever are discharged of all Fealty, Homage & Allegiance which is or shal be pretended to be due unto any of the Issue & Posterity of the said late King, or any claiming under him; and that* Charles Stuart *eldest Son, &* James *called Duke of* York *second Son, and all other the*

Issue

Issue and Posterity of him the said late King, and all & every person & persons pretending Title from, by, or under him, are and be disabled to hold or enjoy the said Crown of England *& Ireland, and other the Dominions thereunto belonging, or any of them, or to have the Name, Title, Stile, or Dignity of King or Queen of* England *&* Ireland *Prince of* Wales, *or any of them; or to have & injoy the power & Dominion of the said Kingdoms & Dominions or any of them, or the Honors, Manors, Lands, Tenements Possessions, & Hereditaments, belonging or appertaining to the said Crown of* England *and* Ireland, *and other the Dominions aforesaid, or to any of them, or to the Principality of* Wales, *Dutchy of* Lancaster *or* Cornwal, *or any or either of them, any Law, Statute, Ordinance, Usage, or custom to the contrary hereof in any wise notwithstanding; And whereas it is, and hath been found by experience, that the Office of a King in this Nation and* Ireland, *& to have the power thereof in any single Person is unnecessary, burthensom and dangerous to the liberty, safety and publik interest of the people, and that for the most part, use hath been made of the Regal power & prerogative, to oppress, impoverish, and enslave the Subject, and that usually and naturally any one person in such power makes it his interest to incroach upon the just freedom & liberty of the people, & to promote the setting up of their own will and power above the Laws, that so they might enslave these Kingdoms to their own lust; *Be it therefore Enacted and Ordained by this present Parlia. and by Authoritie of the same. That the Office of a* King *in this Nation, shal not henceforth reside in, or be exercised by* any one single person; *& that no one person whatsoever shal or may have, or hold the Office, Stile, Dignity, Power or Authority of* King *of the said Kingdoms & Domini-*

All our Laws cut off by the *non obstante* of an eighth part of the House of Commons sitting under a force.

After almost 1000 years experience it is now found to be dangerous. The English were never one half-quarter so much enslaved since *William* the *Conqueror* subdued them, as they have been since *Oliver* the Brewer subjugated them.

* But in a Councel of State of forty Tyrants sitting under the protection and awe of *Oliver*.

ons,

ons, or any of them, or of the Prince of Wales, *any Law, Statute, Usage, or Custome to the contrary therof in any wise notwithstanding. And it is hereby Enacted, That if any person or persons shal endeavour to attempt by force of Arms, or otherwise, or be aiding, assisting, comforting, or abetting, unto any person or persons that shall by any ways or means whatsover, endeavour or attempt the reviving or setting up again of any pretended right of the said* Charles, *eldest Son to the said late K.* James, *called Duke of* York, *or of any other Issue and posterity of the said late King, or of any person or persons claiming under him or them, to the said Regal office, Stile, Dignity, or Authority, or to be* Prince *of* Wales; *or the promoting of any one person whatsoever, to the name, stile, Dignity, Power, Prerogative or Authority of K. of* England *and* Ireland, *and Dominions aforesaid, or any of them; That then every such offence shal be deemed & adjudged* high Treason, *& the offenders therin, their Councellors, Procurers, Aiders, and Abettors, being convicted of the said offence, or any of them, shall be deemed & adjudged Traytors against the Parliament and people of* England, *and shall suffer, lose & forfeit, & have such like, & the same pains, forfeitures, judgements & execution, as is used in case of high Treason: And wheras by the abolition of the Kingly office provided for in this Act, a most happy way is made for this Nation (if God see it good) to return to its just & antient right of* being governed by its own Representatives or National meetings in Councel*, *from time to time chosen & entrusted for that purpose by*

High Treason is what these Legislative Thieves list to make it, an Arbitrary crime, notwithstanding the Stat. 25. *Ed.* 3. for limiting and ascertaining of Treasons, for security of the people. *Tiberius* and *Nero's* dayes are fallen upon us, Of which *Tacitus Ingens crimen divitiæ, & complementum omnium accusationum læsa Majestas.*

* When was *England* governed by their own Representative? or had any other regliment than Kings? But what the Legislative Conventicle declares we must believe, though contrary to our knowledge. They will lead our Faith and Reason in a string, or have our necks in a halter. A period to this Parliament, and leave the Supreme Power in the Councel of State, a design long since attempted. See First and Second Part of *Englands New Chains*, and the *Hunting of the Foxes*. No obedience is due by Law to them, which takes no notice of this form of Government.

the

the people; It is therefore Resolved and declared by the Commons assembled in Parliament, that they will put a period to the sitting of this present Parliament *& dissolve the same so soon as may possibly stand with the safety of the people that hath betrusted them, & with what is absolutly necessary for the preserving and upholding the Government now setled in the way of a Commonwealth, and that they will carefuly provide for the certain chusing, meeting and sitting of the next & future Representatives, with such other circumstances of freedom in choice & equality in distribution of Members to be elected thereunto as shall most conduce to the lasting freedom & good of this Commonwealth: And it is hereby further Enacted and Declared, notwithstanding any thing contained in this Act, no person or persons of what condition & quality soever, within the Commonwealth of* England *&* Ireland, *Dominion of* Wales, *the Islands of* Guernsey, *&* Jersey *& Town of* Berwick *upon* Tweed, *shall be* discharged from the obedience & subjection *which he & they owe to the Government of this Nation, as it is now Declared, but all & every of them shall in all things render and perform the same, as of right is due unto the Supreme Authority hereby declared to reside in this & the successive Representatives of the People of this Nation & in them only.*

About the same time they passed another Act for Aboliſhing the House of Peers, to this purpose.

131. An Act for aboliſhing the House of Peers

THE *Commons of* England *assembled in Parliament, finding by too long experience that the House of Lords is useless and dangerous to the People of* England *to be continued, have thought fit to Ordain and Enact, and be it Ordained and Enacted by this present Parliament, and by the Authority of the same, That from henceforth the House of Lords in Parliament shall be, and is hereby wholly aboliſhed and taken away, and that the Lords shall not from henceforth meet, or sit in the said House called the* Lords House, *or in any other House or place whatsoever, as a House of Lords, nor shall sit, vote, or advise,*

More New lights, new diſcoveries made by 40 or 50 *Ignis fatui*, grois fiery Meteors, remaining in the House of Commons.

adviſe, adjudge, or determine of any matter or thing whatſoever as a Houſe of Lords in Parlrament. Nevertheleſs it is hereby Declared, That neither ſuch Lords as have demeaned themſelves with honour, courage, Fidelity to the Commonwealth, nor their Poſterities who ſhall ſo continue, ſhall be excluded from the publick Councils of the Nation, but ſhall be admitted thereunto, and have their free Vote in Parliament if they ſhall be thereunto elected, as other Perſons of Intereſt elected and qualified thereunto ought to have: And be it further Ordained and Enacted by the Authority aforeſaid, that no Peer of this Land not being elected, qualified, and ſitting in Parliament, as aforeſaid, ſhall claim, have, or make uſe of any Priviledge of Parliament, either in Relation to his perſon, quality or eſtate, any Laws, Uſage, or cuſtome to the contrary notwithſtanding.

*133. A Declara. of the Commons to ſhew the reaſons of their ſaid proceedings. The State is Free, but the People Slaves; as a Galley is free, but the Rowers Slavs, 1. part. 72, 73. See theſe Books, *A full Anſwer to an Infamous Pamphlet, entituled A Declar. of the Commons of England.* *The Charge againſt the King diſcharged.* *The Royal and Royaliſts Plea.* *King* Charles *vindicated, &c.* And His Majeſties laſt Book, or *Portraicture*, & *His Majeſties gracious Meſſages for Peace.*

And to leſſen the amazement of the people the ſame day they paſſed and ordered to be printed, a Book called, [*A Declaration of the Parliament of* England, *expreſſing the grounds of their late proceedings, and of ſetling the preſent Government in the way of a Free State:*] when they formerly paſſed the 4 Votes for no *more Addreſſes*, to our late King, they ſeconded it with a Declaration, *to ſhew the Reaſons of thoſe Votes*, wherein they ſet forth no new matter but what they had formerly in parcels objected againſt him; and yet they have ſince that time made Addreſſes to him, and both taken and cauſed others to take the Oaths of Allegiance and Supremacy, and the proteſtation & covenant to *defend his Perſon and Authority*, &c. And in this Declaration there is no new objection of moment, but what is contained in the former Declarations againſt him, and as I looked upon the firſt Declaration as a *Prologue*, ſo I look upon this laſt as the *Epilogue* to His *Majeſties Tragedy*. The whole matter of charge in both of them hath been ſufficiently anſwered in ſeverall Books, and either confuted or juſtified, to which I refer the Reader, whom I will only trouble with ſome few ſhort obſervations of my own upon it: (*p.* 5.) The Parliament (in imitation of their Maſters, the Council of Officers) pretend *a neceſſity to change the fundamentall Government into a Free-State, to prevent Tyranny, Injuſtice, and War*, &c. (I doubt rather to promote them.) It affirmeth, (*p.* 15, 16.) *That Offices of Inheritance are forfeited by Breach of Truſt;*

Trust,(a condition annexed to every Office)and seems to imply as much of *the Kingly Office*: but this pen-man had forgot, that by the Law, *the Crown takes away all defects, and the King being Supreme Head and Governor over all Persons, and in all Causes*, it were absurd to make him accomntable to any Authority;for in such case that Authority will be Supreme to him, and so erect aSupremes one jarring and interferring with the other, which in Law and policy is as absurd as to suppose two Almighties or Infinities in Divinity, which cannot be, for that one Infinity would terminate another:*Impossibile esse plura Infinite quoniam alterum esset in altero finitum*,saith *Cusanus.*(*pag.*16.)TheDeclarers play the Orators in behalf of the felicity of Government *by Free-States*, rather than *by Kings and Princes*. This is a spatious field to walk in,I will only cite some learned Authors living in Republicks of a contrary opinion,and send my Readers to them for their Arguments. It applauds the *prosperity* and *good Government of the Switz*: which (I think was never commended before)a gross witted people,living in a confused way of Government,where virtue and industry find no reward, the Rich become a daily prey to the poor, and their popular Tribunes who uphold their credits by calumniating the wealthy, & confiscating or[sequestring]their Estates,the best wealth of this Nation is Pension from Neigbour Princes,to whom they let their Blood to Hire,and become Mercenaries many times to the extream dammage and (if their Country were worth subduing) danger of the State For *Venice* it is an *Aristocracy*(if not *Oligarchy*)of many *petty Kings*,so burdensom to all their Subjects upon *Terra firma*, that they dare not trust them without *Citadels* to keep them under; they never confide in any of their number or Natives to beCommander inChief of their Land Forces)fearing to be tyrannized over by a *Cromwell*, or an *Ireton*, or by some property subordinate to them in all but Title. The *Morlachy*, and many Inhabitants of *Dalmatia* and *Candia*,have lately preferred the *Turkish Government* before theirs. As for the *Low-Countries*, (their neareſt example) peruse *Bernavelt's Apology*, and many good Histories. For *Rome*, from their *Regifugium*, they were never free from Civill Warres, cecessious Tumults, & changes of Government;first to patritian Consuls,*Regia potestate*

See *Greg. Tholosanus. l. pol. 1. Keckerius Sistema pol. l. 1 Coragenii, l. politic. 1. & c. 17 ad cap. 25.* & many good Authors quoted by him.

Mæcenalis oration em ad Augustum, apud Dionem Cassium.

ſtate; then to promiſcuous Conſuls (*Plebeyans* as well as *Patritians*) with popular Tribunes to controule them (then to *Decemviri legibus Scribendis*; then to *Tribuni militares conſulari poteſtate*, Dictators upon all ſpecial occaſions, ſometimes an *Ariſtocracy*, ſometimes a *Democracy*, between two Factions *Patritian* and *Plebeyan*. And never could that unhappy Idoll of the multitude [*Libertie*] find any time of ſettled reſt and Government untill their giddy Republick was overthrown by *Julius Ceſar*, and turned into a *Monarchy* by *Auguſtus*, which approved *Cratippus* ſaying, *Vitioſum Reipub: ſtatum exigere Monarchiam*; and then (and not till then) *Rome* came to his height of Glory, and Dominion, and continued ſo a long time, ſometimes empayred by the vices of ſome Emperors, and ſometimes repaired by the virtues of others: he that reads *Livy* and *Tully's* Orations, with many other Authors, ſhall find how infinite corrupt the People were both in making and executing Laws, in diſpenſing Juſtice both diſtributive, and Commutative; what complaints, that their *comitia* were *venalia*; what Bulwarks they were fain to erect againſt the ambition & covetouſneſs of their Great men; *Leges Ambitus*, *leges Repetundarum peculatus*; all to no purpoſe: the great abuſe of Solicitors and undertakers in every *Tybeſti contractie*, for ſuffrages; the domeſtick uſe of their *Nomenclators*, their Prehenſations, Invitations, Clientſhips; their kiſſings and ſhaking hands (even from the greateſt Perſonages) proſtituted to every Cobler and Tinker; their coſtly publick Shews and ſpectacles to wooe the Rabble; he that reads obſervingly ſhall find that *ambition* and *covetouſneſſe* (nurſes of all corruption) were the beſt part of the wiſdom and Induſtry of that *Republick* untill it came to be a *Monarchy*, and ſhall farther find, that thoſe corrupt manners and cuſtoms which the People (from the higheſt to the loweſt) had contracted during the ſeverall licentious Alterations of their Commonwealth, from one form of Republick to another, were (like a ſecond nature) not to be corrected by the better diſcipline of a *Monarchy*, and (at laſt) occaſioned the ruin of that *Monarchy*, together with the deſolation of that nation, which ſhews, *that Monarchy* (with which their Nation began) *was their naturall and genuine Government*, when it could not be taken away *ſine interitu ſubjecti*, without the

See ſome Authorities cited *verbatim* in the firſt page.

the ruine of the whole subject matter. (p.11.) It is said, *It hath been lately computed, that the Court purveyances* (notwithstanding many good Laws to the contrary) *cost the Country more in one year, than their Assessments to the Army*; what? above 100000 l. a month, when the charge of the *KINGS* House-keeping came but to 50000 l. a year: (I speak not of Wages and Pensions) I know not who should make this computation, unless old Sir *Hen. Vane*, and his man *Cornelius Holland* (the latter of which was turned out of his Office in the *Green-cloth* for abusing his Place) not in whose time of imployment (unless their own) such prodigious abuses should happen. (p.19.) It is said, *The legal and justifiable Revenue of the Crown fell short of* 100000 l. *per annum*: I perceive this is all the Account the Common-wealth is likely to have from the Committee of the Kings, Queens, and Princes Revenue, nor do I know what a pruning-hook that phrase (*legal Revenue*) may prove: But I conceived all that Q. *Elizabeth*, the Kings Father and Himself received, had been His Revenue *de jure*, I am sure it was *de facto*, and the Parliament in their Declarations promised, *to settle a better Revenue upon Him than any of His Ancestors enjoyed*; neither did this, nor any former Parliament complain, *that His Purse was grown too full, or his Revenue too fulsome*: and if the Committee of the Revenues had enjoyed no more bnt their own legal and justifiable Revenue, so many of the *KINGS* Servants and Creditors had not starved for want of their own. (p.19.) They very much aggravate *Monopolies, Patents*, and *Projects*: I wonder they suffer so many Men guilty in that kind to sit in their House, old Sir *Henry Vane*, Sir *Henry Myldmay*, Sir *John Hypsley*, *Cornelius Holland*, *Laurence Whytakers*, &c. (p.20.) They speak against the *Lords Negative Voice*, but not a word against the Councel of Wars Negative Voice, who march up in hostile manner against Parliament and City, and secure, seclude, and drive away 250 Members at one time, if they vote any thing contrary to their Interest. They speak likewise against the *Lords Judicial pow'r over Commoners*, but have forgot what unjust & illegal use themselves attempted to make of the Lords jurisdiction against the 11 impeached Members, the 4 Aldermen and Citizens. (p.21.) They excuse their receding from their Declaration of *April*, 1646. (they might

The Kings Revenue by a *medium* of 7 years was yearly 700000 l.

2 Part of *England's* New Chains discovered, &c. and the Hunting the Foxes return to f. 127.

1 Part. sect. 45 46, 47, 48, 49, 50, 51, 52, 53, 54.

have minded you of a Vote of a later Date, had it made for their turn) *for Governing the Kingdom by King, Lords and Commons.* To this it is said, *the King, nor Lords could take no advantage thereof being a contract they never consented unto*; indeed it was never presented to them; but I shall ask whether the people may not take advantage thereof? for whose satisfaction this was Declared (a general grudge being then amongst them) *that the Parliament and Army would subvert the ancient Fundamental Government.* (p.22,23. They answer an Objection, *that these great matters ought to be determined in a full House, not when many Members are excluded by force, and the priviledges so highly broken, and those who are permitted to sit, do act under a force.* To this is answered (how truly let any man that hath read our Histories tell) That few Parliaments have acted but some force or other hath been upon them (I wonder they did not argue thus for the silly *Tumult of Apprentices*) for Breach of Priviledges of Parliament. They Answer, *It will not be charged upon the remaining party, or to have been within their power to prevent it, or repair it* (to this I reply, that it is doubted the remaining party (being the Army party) contrived it in their *Junto* at *Somerset-house*; for (p.23.) it is acknowledged, *they called and appointed the Army for their Guard*, which was not openly done by a full House, it must be therefore secretly done by a party. See many Reasons for this conjecture before Sect.24. Farther they say, *That the safety of the Kingdom ought to be preferred before priviledge of Parliament; & that if their House had declined their duty (viz.* by not Acting) *they had resigned up all to ruine and confusion*; from whence should this ruine and confusion come, but from their own Army, which they perpetuate to eat up the Kingdom, and continue their own *power and profit*? and I wonder they did not use the same moderation after that childish Tumult of Apprentices, but *Declared all Acts*, &c. *passed from 26. July* (which day the Tumult began and ended) to the *6. August, null and void.* And endeavoured to make the very sitting of the Members and the Citizens obeying to the said Orders (though no Judges of the force) *Treasonable*; they deny they sit now under a force, the Army being their best friends, called by them *for their safety.* Indeed it is generally thought the Army and this remnant of the House of Com-

Commons, are as good Friends and Brethren as *Simeon* and *Levi*, *Pilate* and *Herod* were; and were called to secure the Members & purge the House: yet if the remaining party should vote contrary to the Dictates of the Councel of War, *Quære*, Whether they will not be used as uncivily as the secured Members? nay worse, by being called to acoount, for cousening the State. (p.24) They say, *There is a clear consistency of our Laws with the present Government of a Republick.* I desire to know who by our Law can *call or hold a Parliament* but the KING: who is, *Principium caput, & Finis Parliamenti?* who is the fountain of Justice, Honour, Peace, when we have no King? who is Conservator of the Laws and Protector of the people? where is the Supreme Authority? to Vote it (in their own case) to be in a Representative, of fifty or sixty Commons, without legal proofs or precedents is to lead Mens reason captive, as well as their Persons and Estates (to impose an implicite faith upon Man, not to use discourse and reason against their Votes is to take Man out of Man, to deny him his definition, *Animal rationale*) to whom doth the Subject owe Allegiance? and where is the Majesty of *England* when there is no King? for all Treason is, *Crimen læsæ Majestatis, contra debitam ligeanciam.* Therefore where (by the known Laws) no Allegiance is, there is no Treason. Lastly, if our present Laws be so consistent with the Republick, I desire to know why they did not Try the four Lords legally at the Common Law by their Peers, and Sir *John Owen* by a Jury of 12 Men of the Neighbourhood, according to *Magna Charta*, and other good Laws? but were fain to put a Legislative Trick upon them, and erect such a Court for the Trial of them as was never heard of in *England* before, nor hath no place in our Government. They conclude (p.26.) *That as they have not intermedled with the affairs and Government of other States, so* (they hope) *none will intermeddle with them:* This assertion is as true as the rest, it being wel known, that for about three years last past they have boasted, That they have many Agents in *France*, who under colour of Merchandise, vent Antimonarchical and Anarchical Tenents, and sow seeds of Popular liberty amongst the poor Peasants, and Huguenots of *France*, which they brag prospered well there, their very declared principles and doctrine of their Pulpits and Army are,

2 Part of *England's* New Chains, and the Hunting the Foxes, &c.

are, *That they must break the powers of the Earth in peeces.* Monarchy must down all the world over, first in *England*, then this Army must put over and manumit the Peasants of *France*, the Boors of *Germany*, &c. And divers of this party have reported, *That they have supplied the Revolters of* France *with money*; their Licenced News-books are full of this Doctrine, and of many Invectives against the Tyranny of the French King.

134. *Harry Martins* Judgement of the King and Kingly Government.

Such were their proceedings against the *King*, or rather against *Kingly Government*, which was cut off by the same Axe that murthered the King, and was (indeed) first in their intention, though last in execution; as appeareth by *Harry Martins* Speech in the House upon the Debate, *Whether a King, or no King? That if they must have a King, he had rather have had the last than any Gentleman in* England? he found no fault in *His person*, but in *Hu Office.*

135. The Councel of Officers endeavour to joyn Interests with the Papists in *England* & Ireland

The King had offended the Papists in the last Treaty, by granting so much to the Parliament for their suppression: The Independents perceiving it, and willing to joyn with any Interest to make good their design. It was proposed at the Councel of Officers, *That the Papists should raise and pay about* 10000 *Additional Forces for this Army, in recompence whereof, all penal Laws concerning them should be repealed, all Taxes and Contributions taken off, and they to have the Protection of this Parliament and Army.*

Owen Roe Oneale.

Under the same notion they endeavoured to joyn interests with *Owen Roe Oneale*, that commanded the bloody party of massacring Irish (with which they had formerly taxed the King) they supplied him with Ammunition, and admitted *O Reily*, the Popes Irish *Nuntio* to a Treaty here in *England*, Sir *John Winter* was taken into imployment, and the Arrears of his Rents gathered for him by Souldiers, to the regret of the Countrey. Sir *Kenelm Digby* had a pass to come into *England*, and came, as was foretold by a Letter from an Independent Agent for the Army, from *Paris* to an Independent Member of the House of Commons, a creature of the Army, bearing date 28 *Nov.* 1648. and printed at the latter end of *The true and full Relation of the Officers and Armies forcible seizing of divers eminent Members*, &c. *Walter Mountague* let forth upon Bail; what becomes of this Negotiation? and whether those that have played fast and loose with

The Popes *Nuntio.*

with all Interests in the Kingdom have not done the like with the Papists? I cannot yet learn.

135. Scarcity of Coals how occasioned, and why?

This Winter, Coals (as well as other things) had been at excessive rates in the City, whereby many poor perished with cold and hunger; what the reason thereof was (besides unreasonable Taxes, Excise, and Souldiers quartering in and neer the City) was diversly disputed: most men imputed the blame to Sr. *Arthur Haslerigg* Governour of *Newcastle*, who (without any publick Authority) presumed to lay on a Tax of 4s. a Chaldron upon the Coals there; which is estimated to amount to 50000*l.* a year; what use that Money was put to was as variously whispered: as likewise what design they had in bringing so pinching a want upon the City: some said it was to inforce the poorer sort into Tumults, and then to charge the wealthier sort with the crime, and ensnare them; others said, it was to cast an *odium* upon the PRINCE, as if His Ships had kept in the Colliers.

137. The L. Mayor ordered to proclaim in person the Act for abolishing the Kingly Office, and punished for neglect.

The 23. *March* 1648. The Commons ordered, *That the Lord Major of* London *in person be required to publish and proclaim in the City the aforesaid Act for dissolving Kingly Government: and to give an account thereof to the House.* The Major refusing this service, was by the Commons called to the Bar, fined 2000*l.* committed prisoner to the Tower, and outed of his Majoralty; and Alderman *Andrews* (a man after their own heart) chosen by a few Schismaticks in his place.

138. The Kings, Queens, and Princes personal Estate ordered to be sold.

Ordered by the Commons (upon a report from the Council of State) *that Commissioners be appointed to make sale of the Kings, Queens, and Princes personall Estate, upon Inventory and Apprisall, for satisfaction of all just Debts due to well affected persons* (*Viz.* Men of their Faction) *in this Nation, before the beginning of these Wars: But first* 30000*l. to be taken out of it for the use of this Summers Fleet, and that it be referred back to the* 40 Hogen Mogens, or *Council of State to consider what they think fit to be sold, and what they think fit to keep & reserve for the use & furniture of them & their attendants.* Observe, that by that time this gulph is stopped, the whole remainder to be sold for payment of debts aforesaid, may be written with a Cypher.

139. Crown Lands shar'd among the Godly.

I hear the House hath given away the Kings House, Parks and Honour of *Eltham* to Serjeant *Bradshaw* their *quondam* President.

fident. *Greenwich* to *Fulſtrode Whitlock*. The Lions Skin is now dividing amongſt the party. Thus have they killed and taken poſſeſſion: and the Kings Revenue hath proved as ominous to him as *Naboths* Vineyard was to his Maſter.

140. Another Report for an eſtabliſhment for the Army Diurnal, *Mar.* 30, 31. 1649.

This day another report was made to the Houſe from the Committee of the Army of the particular ſums to be Monthly levied in each County, to make up the whole ſum of 90000l. Monthly for the Armies of *England* and *Ireland*, beſides 20000l. *per menſ.* out of Fee-farm Rents.

141. An Order that no Preacher meddle with State affairs.

28 *March* 1649. The Commons in purſuit of the advice given them by Monſieur *Paw*, and according to the example cited by him of the *Low Countries*, Ordered, *That no Miniſter in his pulpit ſhould meddle with any State affairs*: had this been obſerved from the beginning, theſe Pulpit-Incendiaries had never kindled a War between the King and Parliament.

142. The 5 Lights of *Walton*.

About the beginning of *Lent* laſt, Maſter *Faucet* Miniſter of *Walton* upon the *Thames* in *Surrey*, preached in his Pariſh Church after dinner, when he came down out of the pulpit it was twilight; and into the Church came ſix Souldiers, one of them with a Lanthorn in his hand, and a Candle burning in it, in the other hand they had four Candles not lighted: He with the Lanthorn called to the Pariſhioners to ſtay a little, for he had a Meſſage to them from God, and offered to go up into the Pulpit, but the Pariſhioners would not let him; then he would have deliver'd his errand in the Church, but there they would not hear him; ſo he went forth into the Church-yard, the people following him, where he related to them, *That he had a viſion, and received a command from God to deliver his will unto them, which he was to deliver and they to receive upon pain of damnation. It conſiſted of* 5 *Lights:*

1. *That the Sabbath was aboliſhed as unneceſſary, Jewiſh, a meerly Ceremonial: And here* (quoth he) *I ſhould put out my firſt Light, but the wind is ſo high I cannot light it.*

2. *Tyths are aboliſhed as Jewiſh and Ceremonial, a great burden to the Saints of God, and a diſcouragement of induſtry and tillage: And here I ſhould put out my ſecond Light, &c.* as aforeſaid, which was the burden of his ſong.

3. *Miniſters are aboliſhed as Antichriſtian, & of no longer uſe now Chriſt himſelf deſcends into the hearts of his Saints, and his Spirit*

Spirit enlightneth him with Revelations and Inſpirations: And here I ſhould put out my third Light, &c.

4. *Magiſtrates are aboliſhed as uſeleſs, now that Chriſt himſelf is in purity of Spirit come amongſt us, and hath erected the Kingdom of the Saints upon earth; beſides, they are Tyrants and Oppreſſors of the Liberty of the Saints, and tye them to Laws and Ordinances, meer humane inventions: And here I ſhould have put, &c.*

5. Then putting his hand into his pocked, and pulling out a little Bible, he ſhewed it open to the People, ſaying, *Here is a Book you have in great veneration, conſiſting of two parts, the Old and New Teſtament; I muſt tell you, it is aboliſhed: It containeth beggarly rudiments, milk for Babes; But now Chriſt is in Glory amongſt us, and imparts a fuller meaſure of his Spirit to his Saints than this can afford; and therefore I am commanded to burn it before your faces*; ſo taking the Candle out of his Lanthorn, he ſet fire of the leaves. And then putting out the Candle, *And here my fifth Light is extinguiſhed.*

143. The Earle of *Warwicks* Commiſſion recalled, and 3 Admirals appointed.

Upon a Report from the Councel of State, the Commons voted *Void* the Earle of *Warwick's* Commiſſion for Admiral, and appointed three Commiſſioners to have and execute the Admirals Place, with 3 l. a day a piece; a Commiſſion for Martial Law, and Land Souldiers abroad to keep under the Sea-men. The three Admirals are, Col. *Edw. Popham*, Col. *Rob. Blake*, and Col. *Deane*.

144. *Cromwell* turned Preacher.

Sunday after *Eaſter-day*, ſix Preachers militant at *White-hall* tried the patience of their Hearers; one calling up another ſucceſſively; at laſt the Spirit of the Lord called up *Oliver Cromwell*, who ſtanding a good while with lifted up eyes, as it were in a trance, and his neck a little inclining to one ſide, as if he had expected *Mahomet's* Dove to deſcend and murmure in his ear; and ſending forth abundantly the groans of the Spirit, ſpent an hour in prayer, and an hour and an half in a Sermon. In his prayer *he deſired God to take off from him the Government of this mighty People of* England, *as being too heavy for his ſhoulders to bear*: An audacious, ambitious, and hypocritical imitation of *Moſes*. It is now reported of him, that he pretendeth to Inſpirations; and that when any great or weighty matter is propounded, he uſually retireth for a quarter or half an hour, and

then returneth and delivereth out the Oracles of the Spirit: surely the Spirit of *John Leyden* will be doubled upon this Man.

145. The last Retreat of the Faction by *H. Martins* report.

About this time the *Palsgrave* took his leave of the Parliament being much courted and complemented by them, and his 8000 l. *per annum* with all Arrears confirmed to him: Since his departure *Harry Martin* (in a jolly humour) was heard to say, *If the worst happened, and that they should not be able to stand their ground in* England, *yet the* Palsgrave *would afford them a place of retreat in the Palatinate*; the seeds of these Anarchical, Anabaptistical humours (upon the reducing of *Munster*) spread themselve in *England*, and now have a minde to return into *Germany* to kindle a fire there.

146. *Jo. Lilburns* third Book, called (*The Picture of the Councel of State.*)

About this time *John Lilburn*, and his Company, set forth a Book, called [*The Picture of the Councel of State, &c.*] wherein they set forth *the illegal and violent proceedings of the said Councel against them in seizing upon them with armed Bands of Souldiers, and interrogating them against themselves, &c.* (where they have these words) *The Faction of a Traiterous party of Officers of the Army hath twice rebelled against the Parliament, and broke them in pieces, and by force of Arms culled out whom they pleased, and imprisoned divers of them, and laid nothing to their charge; and have left onely in a manner a few men* (besides 11 of themselves, *viz.* the General, *Cromwel*, *Ireton*, *Harrison*, *Fleetwood*, *Rich*, *Inglosby*, *Hasterigge*, *Constable*, *Fennick*, *Walton*, and *Allen* Treasurer) *of their own Faction behinde them, that will* (*like Spaniel Dogs*) *serve their lusts and wills; yea, some of the chiefest of them*, viz. *Ireton*, *Harrison*, *&c.* yea, Mr. *Holland* himself styled them *a Mock-Parliament, a Mock-power*, at *Windsor*; yea, it is yet their expressions at *London*: And if this be true that they are a Mock-power, and a Mock-Parliament, then; *Quare*, Whether in Law or Justice (especially considering they have fallen from all their many glorious promises, and have not done any one action that tends to the universal good of the people) can those Gentlemen sitting at *Westminster* in the House (called, *the House of Commons*) be any other than a Factious company of Men, trayterously combined together with *Cromwel*, *Ireton*, and *Harrison*, to subdue the Laws, Liberties, and Freedoms of *England* (for no one of them protests

proteſts againſt the reſt) and to ſet up an abſolute and perfect tyranny of the Sword, will, and pleaſure, and abſolutely intend the deſtroying the Trade of the Nation, and the abſolute impoveriſhing the people thereof, to fit them to be their Vaſſals and ſlaves, And again, the three forementioned Men, *viz: Cromwell*, *Ireton*, and *Hariſon*, (the General being but their ſtalking horſe, and a cyher) and their trayterous Faction, having by their wills and Swords got all the Swords of *England* under their command, and the diſpoſing of all the great places in *England* by Sea and Land, and alſo the pretended *Law making* power, and the pretended *Law executing* power, by making among themſelves (contrary to the Laws and Liberties of *England*) all Judges, Juſtices of Peace, Sheriffs, Bayliffs, Committee-men, &c. to execute their wils and tyranny, walking by no limits or bounds but their own wills and pleaſures, and trayterouſly aſſume unto themſelves a power to levie upon the people what money they pleaſe, and diſpoſe of it as they pleaſe, yea, even to buy knives to cut the peoples throats that pay the money to them, and to give no account for it till Dooms-day in the afternoon; they having already in their wills and power to diſpoſe of the Kings, Queens, Princes, Dukes, and the reſt of the Childrens Revenue; Deans and Chapters Lands, Biſhops Lands, Sequeſtred Delinquents Lands, Sequeſtred Papiſts Lands, Compoſitions of all ſorts, amounting to Millions of money, beſides Exciſe and Cuſtoms; yet this is not enough, although (if rightly husbanded) it would conſtantly pay above one hundred thouſand men, and furniſh an anſwerable Navy thereunto: But the people muſt now after their trades are loſt, and their Eſtates ſpent to procure their Liberties and Freedoms be aſſeſſed about 1000001. a Moneth, that ſo they may be able like ſo many Cheaters and State-thieves, to give ſix, eight, ten, twelve, fourteen, ſixteen thouſand pounds a piece over again to one another, (as they have done already to divers of themſelves to buy the Commonwealths Lands one of another, (contrary to the duty of Truſtees, who by Law nor equity, *can neither give nor ſell to one another*) at two or three yeares

Maſter *Boon* a Member of the Houſe, lately a Tapſter, hath 6000 l. given him.

Sir *Ar. Haſlerig* three great Mannors, *Biſhops-Aukland*, *Ever-wood*, and another Col. *Barkſtead* (the pittifull Thimble and Bodkin Goldſmith) bought as much Biſhops Lands as coſt 10000 l. at two or three years purchaſe, and hath long ſince raiſed his money.

purchaſe, (the true and valuable rate conſidered) as they have already done, and to give 4 or 5000l. *per annum*, over again to King *Cromwell*, as they have done already out of the Earl of *Worceſter*'s Eſtate &c. beſides about 4 or 5l. a day he hath by his Places of Lieu. Generall, and Colonel of Horſe in the Army; although he were at the begining of this Parliament but a poor Man; yea, little better than a Beggar (to what he is now) as well as others of his Neighbours.

147. A Petition in behalf of *Jo. Lilburn* and his Company.

2. *April* 1649. A Petition ſubſcribed by divers Perſons in behalf of *John Lilburn* and his company, was preſented to the Commons, wherein (amongſt other things) are contained theſe three juſt demands:

1. *That no man be cenſured, condemned, or moleſted, but for the breach of ſome Law firſt made and publiſhed to the People, whereby is avoided that uncertainty and hourly hazard that otherwiſe every man is ſubject to, both in reſpect of his Eſtate, Liberty and Life.*

2. *That every crime have not onely its penalty annexed, but together therewith the manner and method of proceedings aſcertained.*

3. *That the execution of Laws be referred to ordinary Magiſtrates and Officers by Law deputed thereto, and that the Military power be not uſed, but where the civil is ſo reſiſted, as that of its own ſtrength it is deficient to enforce obedience.*

148. Itinerant Miniſters, an invention to undermine our Orthodox ſetled Miniſters, and infect the People with Schiſms and Anarchical principles, ſuitable to the many-headed tyranny of the Grandees.

April 12. 1649. It was referred to a Committee *to conſider of a way how to raiſe penſions and Allowances out of Deans and Chapters Lands to maintain ſupernumerary Itinerant Miniſters*, who ſhould be authorized to go up and down compaſſing the earth, and adulterate other mens Pulpits and Congregations, and put-affronts and raiſe factions and ſcandals upon ſuch orthodox and conſcientious Miniſters (in order to their ſequeſtration) as cannot frame their Doctrine to the damnable practiſes and Anarchicall principles of the times. Theſe wandering Apoſtles are to preach Antimonarchicall ſeditious doctrine to the people, (ſuitable to that they call *the preſent Government*) to raiſe the raſcal multitude and ſchiſmaticall rable againſt all men of beſt quality in the Kingdom, to draw them into Aſſociations and Combinations with one another in every County, and with the Army againſt all Lords, Gentry Miniſters, Lawyers, rich and peaceable men, and all that are Lovers of the old Laws and Go-

vernment

vernment, for the better rooting of them out, that themselves alone may inhabit the earth, and establish their new tyranny or Kingdom of the Saints upon the ruines of our antient Monarchy. These men (like *Balaam*) *shall bless and curse for hire*, and vent State-news, State-Doctrine, and poyson the people with such changeable and various principles as from time to time shall be dictated to them by those Pseudo-politicians as now sit at the Helm; they shall couzen the people with pretended Illuminations, Revelations, and Inspirations, and pour out all the Vials of Gods wrath amongst them.

149. A fraudulent reconciliation and uniting of Interests attempted with a mock-fast for that purpose.

Cromwell and *Ireton* and their Faction, having formerly deluded all the Interests and parties of this Kingdom, were arrived to that height of impudence as to endeavour to cheat them all over again, they had by murthering the King, abolishing the House of Lords, putting an execrable force upon the far major part of the House of Commons, making themselves and their Party a tyrannical Councel of State to usurp the Supreme power and Government, endeavouring *a Tolleration of all Religions*, attempting to take away Tithes, mocking and then tyrannizing over that part of the Army they please to miscall *Levellers*, distracted and discontented all parties within the Kingdom, and stirred up all the Princes of Christendom to defend the common Interest of Kings, now controverted in *England*. This cloud threatned to pour down a new War upon them; to provide a remedy therefore for this sore, *Cromwell* moved in the House of Commons, *That the Presbyterian Government might be setled*, promising his endevors thereto, but whether he meant a Classicall or Congregationall Presbytery (which differs little or nothing from Independency) he did not declare: and here lyeth the fallacy; he likewise moved, *That the secured and secluded Members might again be invited into the House*: they sent their Agents both Laymen and Ministers (amongst whom Mr. *Marshall*, *Nye*, *Carell*, *Goodwin*, and *Hugh Peters* were cheif) to cajole and decoy the Ministers, Citizens, and the expulsed Members, with discourses and propositions, they told them, the Presbyterians had differed from the King in point of civill Interest, which was more irreconcileable than that Interest of Church-Government, what soever shew was made to the contrary, (They will

See a Paper called, *Arguments against all Accommodation between the City of* London *& the engaged Grandees of the Parl. and Army*: And, *A seasonable Caution to the City of* Lond. printed at the latter end of *Relations and Observations Hist. and Pol.* &c.

will not endure to hear the KING'S exemplary patience and Christian charity to all; nor of his precepts and strict injunctions to his Son of clemency, and abstinency from revenge, contained in his last Book, [*The Pourtraicture of his Majesty.*] These things will both apologize for our young King, and condemn our bloody vindicative Saints.) that the Presbyterians as well as the Independents made War against the late King, brought him low, and prepared him to receive his late deadly Blow from the Independents, and therefore the King would look upon both parties as equally guilty, and was deeply engaged in point of Interest to cut off both parties: endeavouring by these discourses to put the Presbyterians into *despair* (their own and *Judas*'s sin) and then to work upon that base and cowardly principle of *self-preservation*, and invite them to join with them in point of civill interest and common Defence. But their kindnesse was but like that of a malicious man, who having plague sores on him, embraceth his friend rather to infect than cherish him: they know that by sitting, voting, acting, and complying with them, whose actions the Laws of God and the Land have damned and anathematized with the highest condemnation) they should contract the guilt of all their forepassed crimes and Treasons; in the mean time the Presbyterians should sit and act but as a suspected party, and should be baffled and turned out again when the danger is past: the Independents keeping in their own hands all the power, profits and preferments of the Land, and using the Presbyterian party, but as *Gibeonites*, Hewers of wood, and Drawers of water under them; they invited them therefore to share with them in their sins, shames, and punishments, but would keep *Achan*'s Wedge and the Babylonish garment (the profit of their crimes) to themselves: And (as if it were not sufficient to cousin man without mocking God) the House of Commons Ordered a *strict Fast to be kept upon Thursday* 19. April 1649. *as a day of Humiliation to implore Gods forgivenesse for the ingratitude of the people, who did not sufficiently acknowledge with thankfulnesse Gods great mercies upon this Land in freeing them from Monarchy, and bestowing liberty upon them, by changing Kingly Government into a Free-State or Republick.* The Faction knew that to partake with them in these prayers,

was

was to partake of their ſins. God deliver us from thoſe deceitful lips, whoſe prayers are ſnares, whoſe kiſſes prove curſes, and whoſe devotion leads to damnation: Never was Faſt injoyned with more ſeverity, nor neglected with more contempt and horror; men ſhunning it like the ſins of Rebellion and Witchcraft. Beſides, their Conſciences told them, *that they never ſuffered the thouſandth part of the oppreſſions they now groan under.*

150. The jugling deſign of ſending part of the Army for *Ireland.*

About this time it was debated to ſend ſupplies for *Ireland*; the predominant Grandees were deſirous to purge the Army (as they had done the Houſe) and ſend the Levellers (Aſſertors of Liberty) thither; the Levellers were deſirous to keep their ground here, and ſend the more mercenary enſlaving and enſlaved part of the Army, the better to colour the deſign, *Cromwel* undertook to be conductor of this Expedition, and light them the way into *Ireland* with his Illuminated Noſe; having taken order beforehand that his precious ſelf ſhould be recalled time enough to keep up his party in *England* from ſinking by his longer abſence, and the better to accommodate the buſineſs, Lots were ſeveral times caſt what Regiments ſhould go; but the Lots not falling out to the minds of the General Councel of Officers, they caſt Lots again and again, until fortune agreed with their deſires: This being diſcovered, a printed Paper was ſcattered about the ſtreet, 26. *April*, 1649. as followeth:

ALL worthy Officers and Souldiers who are yet mindful that you engaged not as a meer mercenary Army, hired to ſerve the Arbitrary ends of a Councel of State; but took up Arms in Judgement and Conſcience in behalf of your own, and the peoples juſt Rights and Liberties, you may ſee plainly by the proceedings of Col. Hewſon *with his Regiment, that the deſign of your grand Officers is, to reduce the Army to a meer mercenary and ſervile temper, that ſhall obey all their commands, without ſo much as asking a queſtion for Conſcience ſake. Intending by this blinde obedience in you to make you be whatſoever they ſhall finde requiſite to eſtabliſh their own abſolute power over the Commonwealth, yea, though it be to cut off your beſt friends, or perpetuate this their own Parliament and Councel of State, things ſo evidently deſtructive to your own and the peoples juſt Rights and Liberties, as nothing can be more.*

And

And for compassing whereof, you know they have long since dissolved the Agitators, and erected a Councel amongst themselves by which they have moulded the Parliament and a Councel of State to their own wills; both which, are to be as a screen between the People and your Grandees, to make the world beleeve, they do nothing but by Order of Parliament, and Councel of State, when they order all things themselves; and indeed are confederated together to defend and protect each others in their defrauding and enslaving the Commonwealth.

This they have long aimed at, but cannot possibly effect it, until they reduce the Army to a servile and base temper, which they have been labouring to bring to pass a long time; as by picking quarrels with most Officers and Souldiers, that have manifested any sense of Common Right, and so vexing them, and wearying them out of Troops and Companyes. And (you know) they have been more than once disbanding twenty of a Troop, upon pretence of easing the publick charge: all their mischief being ever done, after either fasting and prayer, or upon some very specious pretence; but the care and resolution of the honest Officers and Souldiers ever prevented this.

But now the business for Ireland *(it seems) must do the deed; that being a service that must be preferred before the setling of the Liberties and Freedoms of this Nation; and all that are not for this service must be esteemed no better than Enemies and Traitors; and therefore an* Ahab-like Fast *goeth before the Lots are cast: And* Col. Hewson *falls to work and disbands all those Souldiers and Officers that refused to ingage for the service of* Ireland *before the Liberties of* England *(which we never trod under foot) be restored to the people.*

The end of this being to be a leading case to all other Regiments both Horse and Foot; not that they certainly intend for Ireland, *but by such means to be rid of all such as are apt to desire to be satisfied in their Consciences of the justice of the Cause before they ingage in the killing and slaying of men any more; or before they see some fruits answerable to the blood that hath been spilt.*

And being rid of this kind of Officers and Souldiers, then to fill the Regiments as this Hewson *doth, with such ignorant, needy, or servile men, as these miserable times (through loss of Trade) have begotten.*

And this being done, then to make more strict enquiry after this ser-

ſort of People in the Army, and all other places, ſuppreſs meetings, and if that will not do, then to diſarm all from whom they ſuſpect the leaſt repining or oppoſition.

And therefore all thoſe Officers and Souldiers, and all people in all places are concerned in a very high nature, even as much as the freedom of the Nation is worth; yea, as they tender the good of their Wives, Children, Families and Poſterity, to venture their lives and all they have to make oppoſition againſt this the greateſt miſchief that ever was attempted, the greateſt Treaſon that ever was committed againſt the liberties of the People; and not to ſtand any longer in a mix-maze between hope and fear; for if this deſign take place, your great Officers and their Confederates in Parliament and Councel of State, will be as many Kings, Princes, and Lords, and your ſelves, and all the people their Slaves and Vaſſals.

Therefore keep every man his place and poſt, and ſtir not, but immediately chuſe you a Councel of Agitators once more to judge of theſe things; without which we ſhall never ſee a new Parliament, or ever be quit of theſe intolerable burdens, oppreſſions, and cruelties, by which the people are like to be beggered and deſtroyed.

151. M. *Lockier* condemned by a Councel of War, with his honourable death & burial; and *Lilburns* Letter to the General.

About this time Mr. *Robert Lockier*, and five or ſix other Troopers of Captain *Savages* Troop were condemned for a ſuppoſed mutiny; in behalf of whom Liev. C. *John Lilburn* writ this Letter following to the General, dated 27. *April* 1649.

May it pleaſe your Excellency:

WE have not yet forgot your Solemn Engagement of *June* 5. 1647. whereby the Armies Continuance as an Army was in no wiſe by the will of the State, but by their own mutual Agreement: And if their ſtanding were removed from one foundation to another (as is undeniable) then with the ſame they removed from one Authority to another; and the Ligaments and Bonds of the Firſt were Diſſolved, and gave place to the Second; and under, and from the head of thir firſt Station, *viz.* By the Will of the State, the Army derived their Government by Martial Law; which in Judgment and Reaſon could be no longer binding then the Authority (which gave being thereto) was binding to the Army: For the denial of the Authority,

is an Abrogation and Nullment of all Acts, Orders, or Ordinances by that Authority as to them: And upon this Account your Excellency with the Army, long proceeded upon the Constitution of a new Councel and Government, contrary to all Martial Law and Discipline, by whom only the Army engaged to be Ordered in their prosecution of the Ends; to wit, Their several Rights, both as Souldiers and Commoners, for which they associated; Declaring, Agreeing, and promising each other, not to Disband, Divide, or suffer themselves to be Disbanded or Divided, without satisfaction and security in relation to their Grievances and desires in behalf of themselves and the Common-wealth, as should be agreed unto by their Councel of Agitators: And by vertue and under colour of this Establishment, all the extraordinary actions by your Excellency, your Officers and the Army have past: Your refusal to disband, disputing the Orders of Parliament: Impeachment and Ejection of Eleven Members; your first and second march up to *London*; your late violent Exclusion of the major part of Members out of the House, and their Imprisonment without cause, &c. which can no way be justified from the guilt of the highest Treason, but in the accomplishment of a righteous end, *viz.* the enjoyment of the benefit of our Laws and Liberties which we hoped long ere this to have enjoyed from your hands: Yet when we consider, and herewith compare many of your late carriages both towards the Souldiery, and other free people, and principally your cruel Exercise of Martial Law, even to the Sentence and Execution of Death upon such of your Souldiers as stand for the Rights of that Engagement, &c. And not only so, but against others not of the Army; we cannot but look upon your defection and Apostacy in such dealings, as of most dangerous Consequence to all the Laws and Freedoms of the People.

And therfore, although there had never been any such solemn Engagement by the Army, as that of *June* 5. 1647. which with your Excellency in point of duty ought not to be of the meanest obligation. We do protest against your exercise of Martial Law, against any whomsoever, in times of Peace; where all Courts of Justice are open, as the greatest encroachment upon our Laws and Liberties that can be acted against us, & particularly against the

the Tryal of the Souldiers of Captain *Savages* Troop yesterday, by a Court Martiall, upon the Articles of War, and sentencing of two of them to death, and for no other end (as we understand) but for some dispute about their Pay: And the reason of this our Protestation is from the *Petition of Right*, made in the third year of the late King, which declareth, *That no person ought to be judged by Law Martiall, except in times of War; and that all Commissions given to execute Martiall Law in time of Peace, are contrary to the Laws and Statutes of the Land.* And it was the Parliaments complaint; That Martiall Law was then Commanded to be executed upon Souldiers for Robbery, Mutiny, or Murder. Which *Petition* of Right this present Parliament in their late Declarations of the 9. of *February*, and the 17. of *March*, 1648. commend as the most excellentest Law in *England*, and their promise to preserve inviolably, it, and all other the Fundamentall Laws and Liberties, concerning the preservation of the Lives, properties, & Liberties of the People, with all things incident thereunto. And the exercise of Martiall Law in *Ireland*, in time of Peace, was one of the chiefest Articles for which the E. of *Strafford* lost his Head: the same by this present Parl. being judged High Treason. And the Parliament it self, neither by Act nor Ordinance, can justly or warrantably destroy the Fundamental Liberties and Principles of the Common Law of *England*: It being a Maxim in Law and Reason both, that all such Acts and Ordinances are *ipso facto*, null, and void in Law, and binds not all, but ought to be resisted and stood against to the death. And if the Supreme Autority may not presume to do this, much less may you, or your Officers presume thereupon; For where Remedy may be had by an ordinary course in Law, the Party grieved shall never have his recourse to extraordinaries. Whence it is evident, That it is the undoubted Right of every Englishman (Souldier, or other) that he should be punishable only in the ordinary Courts of Justice, according to the Laws and Statutes of the Realm in the times of Peace, as now it is; and the extraordinary way by Courts Martiall in no wise to be used.

Yea, the Parliaments Oracle, Sir *Edward Cook*, declares in the third part of his *Institutes*, Chap. of *Murder*, *That for a Generall or other Officers of an Army, in time of Peace to put any man, al-*

though a Souldier, to death, by colour of Martiall Law, it is absolute murder in that General, &c. Therefore erecting of Martial Law now when all Courts of Justice are open, and stopping the free current of Law, which sufficiently provides for the punishment of Souldiers as well as others, as appears by 18. *H.* 6. *c.* 19. & 3 *E.* 6. *c.* 2. 4 & 5 *P.* & *M. c.* 3. & 5. *El.* 5 & 5 *Jam.* 25. is an absolute destroying of our Fundamental Liberties, and the raising of the Foundation of the Common Law of *England*; the which out of Duty and Conscience to the Rights and Freedoms of this Nation (which we value above our Lives) and to leave You and Your Councel without all excuse, we were moved to represent unto Your Excellency, Earnestly pressing you, well to consider what you do, before you proceed to the taking away the lives of those men by Martial Law; least the blood of the innocent (& so palpable Subversion of the Laws and Liberties of *England*) bring the reward of just vengeance after it upon you, as it did upon the E. of *Strafford*: For Innocent bloud God will not pardon; and what the people may do (in case of such violent Subversion of their Rights) we shall leave to your Excellency to judge, and remain.

Sir

From our Causeless, and unjust, and Tyrannical Captivity in the *Tower* of *London*, *April* 27. 1649.

Your Excellencies bumble Servants, *IOHN LILBURNE.* *RICH. OVERTON.*

Notwithstanding which Letter, and much other means made, the said *Lockier* was shot to death in Saint *Paul's* Church-yard the same day, to strike a terror and slavish fe ar into such other Souldiers as shal dare to take notice of their approaching slavery; but his Christian and gallant deportment at his death, with the honorable funeral Pomp accompanying him to his Grave turn'd all the terror of his tragedy into hatred and contempt of the Authors thereof.

152. Arrears given to Col. *A. Popham* and *Har. Martin*, and temptations put upon *Lilburn* & *Joyce*.

About this time the House of Commons gave to Col. *Alexander Popham* all his Arrears, and to *Harry Martin* 3000l. to put him on upon the holy Sisters, and take him off from the Levellers: And *Cromwell* is now playing the Devils part, shewing the Kingdomes

Kingdomes of the earth, and tempting *John Lilburn* to fall down and worshiip hm, to forsake his good principles and engagements, and betray the Liberties of the people, but L. Col. *Lilburn* is higher seated in the good opinion of the People than to be suspected of so much baseness, who are confident he will as constantly resist false promises & vain hopes, as he hath vain threats and terrors of Indictments, and not cast away the hold he hath of immortality, by hearkning to such a Syrene whose promises are but baits with a hook hidden uuder them; & his preferments but like *Mahomets* paradise; he that hath cousened all the Interests of the Kingdom will not scruple to cheat his enemy, a free-spirited plain meaning man. This is to undermine & blow up his credit with his party, and make him liable to a revenge hereafter: He that stoops to the lure of a known enemy is guilty of inexcusable folly, and a Betrayer of himself, especially having had so fair a Copy of constancy set him by Coronet *Joice*, who hath with much faithfulnesse resisted the like allurements, and so foul a Copy of inconstancy by *Reynolds*.

153. The design of making Members of Parliament liable to Arrests.

The Commons have Ordered, *That upon complaint made to any Judge of the three Benches, the Judges shall send a Letter of Summons to such Member of their House as shall be complained of, to give an appearance, and submit to legal proceedings, otherwise his Person to be liable to Arrests.* But our present Judges are creatures to the House of Commons, and know before-hand what Members are *Babes of Grace* in favor, and must be priviledged; and who are out of favour, and must not be privelidged, they have an *Index* tells them when to *grant*, and when to *deny*, *Sinners* must not be partakers of the same Laws *with Saints*: This is a Whip and a Bell to drive such dogged Members out of the Hall as will not hunt in pack with the Grandees in pursuit of their design, and are quick-sented enough to smel out their knavery, if they come too near their door? It is thought the tyrannicall Hocas Pocasses had an aim hereby to lash *Harry Martin* off from the Levellers, and make him come in to them.

154. Women petition the House for L. Col. *Lilburn* and his Company.

About this time some thousands of well-affected Women of *London*, *Westminster*, *Southwark*, and the *Hamlets*, stormed the House of Commons with two Petitions in behalf of *Jo. Lilburn* and his Company: They complain of *the Council of States violent*

lent and illegall proceedings against them, in seizing them in the night by Souldiers; of Lockiers *being shot to death by Martial Law; of their Arbitrary Government, Taxes, Excise, Monopolies, &c. That there was a design to fetch* Lilburn *and his Fellow Prisoners out of the Tower at midnight to* White-hall, *and there murder them; That the House by declaring the Abettors of the Book laid to those Prisoners charge Traytors, have laid a snare for people; when as hardly any discourse can be touching the affaires of the present times but falls within the compasse of that Book; so that all liberty of discourse is thereby utterly taken away, than which there can be no greater slavery.*

Second part of *England's* new Chains discovered.

They received not so good Answers to these Petitions as they were wont to receive, when they had Money, Plate, Rings, Bodkins, and Thymbles to sacrifice to these Legislative Idols, they were bid *Go home and wash their dishes*; to which some replied, *They had neither dishes nor meat left.*

155. Observations upon the Commons Answer to those that petitioned for *Lilburn, &c.*

Note that the Commons have returned answer to some Petitioners, *that Lilburn shall be Legally Tryed by Laws preceding the fact*, and yet by their Order, 11. *Aprill*, 1649, it is Ordered, *That the Atturney General be required to take speedy course for prosecution of Liev. Col.* John Lilburn, &c. *in the Upper Bench this Terme, upon the Declaration of this House, touching the Book, entituled,* [*The second part of* Englands *new Chains discovered.*] if this Order be not a Law and preceding the Fact too, then our supreme Saints have told a Legislative Lie. In the latter end of the said Answer they are angry the Petitioners should discover so much of their baseness, that *Cromwell* and *Ireton* rides them, and therefore (contrary to all mens knowledge, and their own Consciences) the term those Intimations, seditious Suggestions; and Ordered, that *Cromwell* and *Ireton* should draw up a Declaration to prevent the People from being misled by Sowers of sedition, such are the degenerous Spirits of under-Tyrants, who are Asses to their Superiors; and Lyons to their inferiors: *Cromwell* and *Ireton*, that have subverted all civill Authority, *murdered the* KING, possessed themselves of what they please, and enslaved the Kingdom with a Military tyranny, must draw up a Declaration according to their fancy, for their own vindication and the Commons must Father the Bastard and set the stamp of their

Humilitur servivunt, aut superbe dominantur.

their Authority and priviledge upon it, leſt any man ſhould confute it, and beat back the Authors lies into their throats but this is no new invention, for formerly when the Councel of Officers ſet forth their Anſwer to the Houſe of Commons Demands concerning their ſecured Members, *Cromwell* and *Ireton* cauſed their Journey-men of that Conventicle to vote, *That the Houſe did approve the matter of the ſaid Anſwer*; thereby owning all the groſs lies therein contained to deter the impriſoned Members from replying to it, and ſo by a tacite confeſſion to acknowledge ſelves guilty.

Ireton penned this ſcandalous Anſwer of the ſaid Officers.

About this time appeared out of the Eaſt a New Light in our Horizon, the *Alchoran* of *Mahomet* (Predeceſſor to *Cromwel*) and of *Sergius* (forerunner of *Hugh Peters*) naturalized and turned Engliſh. Now the Jews (profeſſed Enemies to Chriſt (which *Mahomet* is not) are accepted of) it is believed that their *Thalmude* and *Caball* will ſhortly be made Engliſh too, that this Iſland may be rendred a compleat Pantheon, a Temple and Oracle for all Gods, and all Religions: our light-headed innovating people being like Reeds as apt to be ſhaken by, and bend unto every wind, every breath of pretended Inſpiration, as the antient Arabians were.

156. The Turkiſh *Alchoran* taught to ſpeak Engliſh

May 1. 1649. The frighted Conventicle of Commons conſidered of an Act (forſooth) to fortifie themſelves and their uſurpations with a Scar-crow of new-declared Treaſons, to the purpoſe following,

157. New declared Treaſons to defend tyranny and uſurpation, and enſnare the People.

1. *If any man ſhall maliciouſly* (this is a word of qualification, a back-door to let out ſuch as they ſhall think fit) *Affirm the preſent Government to be tyrannical, uſurped, or unlawful, or unlawful, or that the Commons in Parliament, are not the ſupreme Authority of the Nation, or endeavour to alter the preſent Government.*

2. *If any affirm the Councel of State or Parliament to be Tyrannical or unlawful, or endeavour to ſubvert them, or ſtir up ſedition againſt them.*

For Souldiers of the Army to contrive the death of the General, or Lievtenant General, or endeavour to raiſe mutinies in the Army, or to levy War againſt the Parliament to joyn with any to invade England *or* Ireland, *counterfeit the Great Seal, kill any Member of Parliament, or Judge, or Miniſter of Juſtice in their duty*: All theſe

Quare, Whether *Cromwel* be Lievtenant Generall, or no?

the ſeveral caſes to be Declared, *Treaſon.* You ſee the terrors of *Caine* purſue theſe guilty Cowards.

This Fools Bolt is chiefly aimed at the honeſt *Levellers*, this *Junto* of Commons have made themſelves *legal Traytors* already, and would now make all the Kingdom *legiſlative Traytors*; but I hope none of thoſe that arrogate the Reverend title of *Judges of the* Law (although againſt Law) will be ſo lawleſs as to give Sentence of Death upon any ſuch illegal Act of the Houſe of Commons; nay, this very Act denounceth ſlavery and bondage to the Nation, and therefore is an Act of the higheſt tyranny, and a ſnare.

158. The Levellers Randezvouz in *Oxfordſhire*

May 6.1649. The honeſt Levellers of the Army (for that is the Nick-name which *Cromwell* falſly and unchriſtianly hath chriſtned them withall) Enemies to Arbitrary Government, tyranny and oppreſſion, whether they finde it in the Government of one or many? whether in a Councel of Officers, a Councel of State, or a fag end of a Houſe of Commons? whether it vail it ſelf with the Title of a Supreme Authority, or a Legiſlative power?) drew together to a Randezvouz about *Banbury* in *Oxfordſhire*, to the the number of 4000 or 5000, others reſorting to them daily from other parts. This gave an Alarm to our Grandees, fearing the downfall of their domination. *Cromwell* (not knowing what party to draw out againſt them, that would be ſtedfaſt to him) ſhunned the danger, and put his property the General upon it to oppoſe the Randezvouz, and (looking as wan as the guilles of a ſick Turkey-cock) marched forth himſelf Weſtward, to intercept ſuch as drew to the Randezvouz. In the mean time the ſaid Levellers printed and publiſhed this enſuing Paper, entituled,

Englands *Standard advanced:* or, *A Declaration from* Mr. Will. Thomſon, *and the oppreſſed People of this Nation, now under his conduct in* Oxfordſhire.

Dated at their Randezvouz, *May* 6.1649.

WHereas it is notorious to the whole world, that neither the faith of the Parliament, nor yet the faith of the Army formerly made to the people of this Nation

in

in behalf of their Common Right, Freedom, and Safety) hath bin at al obſerv'd, or made good, but both abſolutely declined & broken, and the people only ſerved with bare words & fair promiſing papers, and left utterly deſtitute of all help or delivery: & that this hath principally been by the prevalency & treachery of ſome eminent perſons (now domineering over the people) is moſt evident. The Solemn Engagement of the Army at New-market, *and* Triplo-heaths *by them deſtroyed, The Council of Agitators diſſolved, the blood of War ſhed in time of Peace, Petitioners for common Freedom ſuppreſſed by force of Arms and Petitioners abuſed and terrified, the lawful Tryal by 12 ſworn men of the Neighborhood ſubverted & denied, bloody & tyrannical Courts (called an High Court of Juſtice, & a Council of State) erected, the power of the Sword advanced and ſet in the ſeat of the Magiſtrates, the Civil Laws ſtopt and ſubverted, and the Military Introduced, even to the hoſtile ſeizure, impriſonment, triall, ſentence, and execution of death, upon divers of the Free people of this Nation, leaving no viſible authority, devolving all into a Factious Junto and Council of State, uſurping and aſſuming the name, ſtamp, and authority of Parliament to oppreſs, torment and vex the people, whereby all the lives, liberties and eſtates, are all ſubdued to the Wils of thoſe men, no Law, no Juſtice, no Right or Freedom, no caſe of Grievances, no removal of unjuſt barbarous Taxes, no regard to the cries and groans of the poor to be had, while utter beggery and famin (like a mighty torrent) hath broken in upon us, and already ſeized upon ſeveral parts of the Nation.*

Wherefore through an inavoidable neceſſity, no other means left under Heaven, we are enforced to betake our ſelves to the Law of Nature, to defend and preſerve our

ſelves and Native Rights, and therefore are reſolved as one man (even to the hazard and expence of our Lives and Fortunes) to endeavour the Redemption of the Magiſtracy of England, *from under the force of the Sword, to vindicate the* Petition of *Right, to ſet the unjuſtly impriſoned free, to relieve the poor, and ſettle this Commonwealth, upon the grounds of Common Right, Freedome, and Safety.*

Be it therefore known to all the free people of England, *& to the whole world, that (chuſing rather to die for freedom, than live as Slaves) We are gathered and aſſociated together upon the bare Accompt of* Engliſhmen, *with our Swords in our hands to redeem our ſelves and the Land our Nativity, from ſlavery and oppreſſion, to avenge the blood of War ſhed in the time Peace, to have Juſtice for the blood of M.* Arnold, *ſhot to death at* Ware, *and for the blood of M.* Robert Lockier, *and divers others who of late by Martial Law were murthered at* London.

And upon this our Engagement in behalf of the Commonwealth, We do ſolemnly agree & proteſt, That we wil faithfully (laying all ſelf-reſpects aſide) endeavour the actual relief and ſettlement of this diſtreſſed Nation.

And that all the world may know particularly what we intend, and wherein particularly to center and acquieſs for ever, not to recede or exceed the leaſt punctilio. We do declare from the integrity of our hearts, that by the help and might of God we will endeavour the abſolute ſettlement of this diſtracted Nation, upon that Form and Method by way of an Agreement of the people, *tendred as a peace-offering by Liev. Col.* John Lilburn, *Mr.* Wil. Walwyn, *Mr.* Tho. Prince, *and Mr.* Rich. Overton, *bearing date* May 1. 1649. *the which we have annexed to this our* Declar. *as the Standard of our*

Engage-

Engagement, thereby owning every part and particular of the Premiſes of the Agreement, *promiſing and reſolving to the utmoſt hazard of our Lives and Abilities to purſue the ſpeedy and full accompliſhment thereof, and to our power, to protect and defend all ſuch as ſhall Aſſent or Adere thereunto; And particularly, for the Preſervation and Deliverance of* L. Col. Jo. Lilburn, M. Wil. Walwin. *Mr.* Tho. Prince, *Mr.* Richard Overton, *Capt.* Bray, *and Mr.* William Sawyer, *from their barbarous and illegal Impriſonments: And we Declare,* That if a hair of their heads periſh in the hands of thoſe Tyrants that reſtrain them, That if God ſhall inable us, we will avenge it ſeventy times ſeven-fold upon the heads of the Tyrants themſelves, and heirt Creatures.

And that till ſuch time as by Gods Aſſiſtance we have procured to this Nation the Declared purpoſe of this our Engagement, we will not Divide nor Diſband, nor ſuffer our ſelves to be Divided or Diſbanded, reſolving with ſoberneſs and civility to behave our ſelves to the Country to wrong or abuſe any man, to protect all to our power from violence and oppreſſion in all places where we come; reſolving to ſtop the payment of all Taxes or Seſſements whatſoever, as of Exciſe, Tythes, and the Tax of Ninety thouſand pounds per menſem.

And having once obtained a New Repreſentative, *according to the ſaid* Agreement, *upon ſuch Terms and Limitations therein expreſſed: We ſhall then freely lay down our Arms, and return to our ſeveral Habitations and Callings.*

And concerning the equity, neceſſity, and juſtice *of our undertaking, We appeal to the judgment of the oppreſſed betwixt their Deſtroyers and Us; Whether by the Law of God, of Nature, & Nations, it be not equally juſtifiable in*

as to engage for the Safety and Deliverance of this Nation, *as it was with the* Netherlanders, *and other People for theirs, and upon the same Principles that the Army engaged at* New-market *and* Triploe-heaths; *both Parliament and Army declaring,* That it is no resistance of Magistracy to side with just Principles, and Law of Nature and Nations: And that the Souldiery may Lawfully hold the hands of that General who will turn his Canon against his Army, on purpose to destroy them; The Sea-men the hands of that Pilot, who wilfully runs his Ship upon a Rock. *And therefore (the condition of this Commonwealth considered) we cannot see how it can be otherwise esteemed in us. And upon that Account we Declare,* that we do own, and are resolved to own all such persons, either of the Army or Countries, that have already, or shall hereafter rise up and stand for the Liberties of *England,* according to the said Agreement of the people: *And in particular,* We do own and avow the late proceedings in Col. *Scroops,* Col. *Harrisons,* and Major Gen. *Skippons* Regiments, declared in their Resolutions published in print; As *one Man,* resolving to live and dye with them, in their and our just and mutual defence.

And we do implore and invite all such as have any sense of the Bonds and Miseries upon the people; any Bowels of Compassion in them, any Piety, Justice, Honor, or Courage in their Breasts, any Affections to the Freedoms of England, *any love to his Neighbour or Native Country,* to rise up, *and* come in *to help a distressed miserable Nation, to break the* Bonds of Cruelty, Tyranny *and* Oppression, *and set the people* Free.

In which Service, Trusting to the undoubted goodness of a just and righteous Cause, we shall faithfully discharge

charge the utmost of our Endevours; Not sparing the venture of all hardships and hazards whatsoever, and leave the Success to God.

Signed by me *WILLIAM THOMPSON*, at our Randezvouz in *Oxfordshire* near *Banbury*, in behalf of my Self, and the Rest Engaged with me, *May* 6. 1649.

For a New Parliament; By the Agreement of the People.

159. Dr. *Dorislaus* stabbed to death in *Holland.*

About this time Doctor *Dorislaus* a Civil Lawyer, sometimes Judge Advocate to the Earle of *Essex*, and Lord *Fairfax*, and lately one of the Councel in the High Court of Justice against the KING and the four Lords, was sent from the Parliament, Agent into *Holland*, where about eighteen *Scots-men*, repairing to his lodging, six of them went up the stairs to his Chamber, whilst twelve of them made good the stair foot, they stabb'd him to death, and escaped.

160. *Hasterigge* barbarous motion to murder six Royalists of the best quality in revenge of *Dorislaus.*

About the 14. day of *May*, 1649. Report was made from the Councel of State to the House of the examination of 3 Servants of Doctor *Dorislaus*, concerning the Death of their Master; and what allowances were fit to be given to his Children out of the Kings Revenue, thereby to lay an aspersion upon the King (as if He having had an influence upon that Fact, His estate must make the recompence, notwithstanding Scotish-men did the deed in revenge of *Hamiltons* death) *Dorislaus* had been a poor School-master in the *Low Countries* formerly, from whence he was translated to read the *History-Lecture* at *Oxford*, where he decried *Monarchy* in his first *Lecture*; was complained of, and forgiven by the benignity of the *King*. Then he became Judge Advocate in the Kings Army in his expedition against the *Scots*; afterwards he had the like imployment under the Earle of *Essex*: And lastly, under Sir *Tho. Fairfax*, a great Gainer by his imployments, but withall, a great Antimonarchist, and a Saint in *Cromwels* Rubrick, and therefore had a magnetick vertue both living and dead to draw money to him in abundance. Upon occasion of this Debate, *Hasterigge* moved, *That six Gentlemen of the best quality*

quality [*Royalists*] *might be put to Death as a revenge for* Dorislaus, *and to deter men from the like attempts hereafter.* (That you may the better see of what Spirit *Hasterigge* is known, That some Northern Counties having petitioned the Commons for relief, against the miserable Famine raging there: *Hasterigge* opposed their request, saying, *The want of food would best defend those Counties from Scottish Invasions.*) What man that had any sense of Christianity, Courage, Honesty, or Justice, would have been the Authour of so barbarous and unjust a motion, That six Gentlemen no way conscious nor privy to the fact should be offered up a sacrifice to revenge and malice, nay, to guilty fears and base cowardize, to keep off the like attempts from *Hasterigge* and his Party. I wish this Gentleman would read the *Alcharon* (or new Independent Bible of the new Translation) and from thence gather precepts of more Humanity, Justice, Honesty and Courage, since he hath read the Old and New Testament of *Moses* and *Christ* to so little purpose. Yet the House 18. of *May* passed a Declaration, *That if more Acts of the like nature happened hereafter, it should be retaliated upon such Gentlemen of the Kings Party as had not yet Compounded.* But this is but a device to fright them to Compound, unless it be a forerunner to Massacre heretofore taken into consideration at a Councel of War: See Sect. 117.

161. An act declaring more new Treasons

About this time came forth that prodigious Act, declaring four *new Treasons* with many complicated Treasons in their bellies, the like never heard of before in our Law, nor in any Kingdom or Republick of Christendom; because I have formerly spoken of it, the Act it self printed, published, and dreadfully notorious throughout the whole Kingdom; I will refer you to the printed Copy, only one clause formerly debated was omitted in the Act, *viz. That to kill the General, Liev. Gen. any Members of this present Par. or Coun of State, to be declared Treason*; this would have discovered their guilty cowardize so much they were ashamed of it; besides it was thought fit to make the people take a new oath of Allegiance to the new State. First, I will only give you some few Observations thereupon. This Act declares to be Treason unto death and confiscation of Lands all Deeds, Plots, and Words: (1.) Against this present fag end of a Parliament, and against their

their never before heard of Supream Anthority and Government: for, when was this Kingdom ever governed by a Parliament, or by any power conſtituded by them? (2.) All endeavours to ſubvert *the Keepers of the Liberties of England*, and *Councell of State* conſtituted, and to be from time to time conſtituted by Authority of Parliament, who are to be under the ſaid Repreſentatives in Parliament, (if they pleaſe, and not otherwiſe for the *Sword* and the *Purſe* truſted in the power of the Councell of State) yet *the Keepers of the Liberties of England* and *the Councell of State of England to be hereafter conſtituted by Parliament*, are *Individua vaga*, ayrie notions not yet named nor known, and when they are known we owe them no Allegiance, (without which no Treaſon) by the known Laws of the Land, which is onely due to the King, His lawfull Heirs and Succeſſors thereto ſworn; nor any the particular Powers and Authorities granted to this Parliament by the ſaid keepers of the Liberties of *England*, and Council of State yet any where authenticaly publiſhed and made known to us by any one avowed Act, (unleſſe we ſhall account their Licenſed News Books to be ſuch) and therefore they may uſurp what powers they pleaſe: So that theſe men who involved us in a miſerable War againſt the late murdered KING, pretending he would enſlave us, and they would ſet us free; have brought us ſo far below the condition of the baſeſt Slaves, that they abuſe us like brute Beaſts, and having deprived us of our Religion, Laws and Liberties; and drawn from us our mony and bloud, they now deny us the uſe of reaſon & common ſenſe, belonging to us as men, and Govern us by Arbitrary, irrationall Votes, with which they bait Traps to catch us: Woe be to that People whoſe Rulers ſet ſnares to catch them, and are *amari venatores contra Dominum*, Men-hunters againſt God: nay, *to move any perſon to ſtir up the People againſt their Authority is hereby declared Treaſon*: mark the ambiguity of theſe words (like the Devils Oracles) which he that hath Power and the Sword in his hands will interpret as he pleaſe: If the Keeper of the Liberties of *England*, or Councill of State ſhall extend too far, or abuſe their Authority never ſo much contrary to the Laws of the Land, Reaſon, Juſtice, or the Laws of God (as hath been lately done in this caſe of *Lylburn*,

Walwin

Walwin, &c.) no Lawyer, no Friend shall dare to perform that Christian duty of giving Council or help to the oppressed, here Fathers and Children, Husbands and Wives, Brothers and all relations must forsake, nay, betray one another, lest these Tyrants interpret these duties to be, A moving of them to *stirr up the People against their Authority.* 3. *All endeavours to withdraw any Souldier or Officer from their obedience to their Superior Officer, or from the present Government,* as aforesaid, By which words it is Treason: First, *if any mans Child,* or Servant, be inticed into this Army, and the Father or Master endeavour to withdraw him from so plundering and roguing a kind of life back to his profession. Secondly, *If any Commander or Officer* shall command his Souldiers to violate, wrong, or rob any man for the party so aimed at, or some wel-meaning Friend to set before the said Souldiers the sin and shame of such actions, and disswade them from obeying such unlawfull commands. 4. If any man shall presume to counterfeit their counterfeit Great Seal, It is declared Treason. I wonder it is not Treason to counterfeit their counterfeit coyn! Behold here new minted Treasons current in no time and place but this afflicted Age and Nation: *Edw. 3. anno 25. regni. ch. 2.* passed an excellent Act to secure the People by reducing Treasons to a certainty, as our new Legislative Tyrants labour to ensnare the people by making Treasons uncertain and arbitrary; what they please to call Treason shall be Treason, though our known Laws call it otherwise; we have long held our Estates and Liberties, and must now hold our Lives at the will of those Grand Seigniors, one Vote of 40 or 50 factious Commons, Servants and Members of the Army vacates all our Laws, Liberties, Properties, and destroys our Lives. Behold here a short view of that Act which hath no additions by any Act subsequent. See *stat. 1. Mariæ, c. 10.* Whereas diverse opinions have been before this time, in what cases Treason shall be said, and in what not, the King at the request of the Lords and Commons, Declares:

Sic volo, sic jubeo, it shall be Treason, because they will call and Vote it so.

See 1 H. 4. c. 10. 11 H. 7. c. 1.

1. *That to compasse or imagin the Death of the* KING, (how much more to act it) *Queen, or their eldest Son and Heyr.*

2. *To violate the* KING'S *Companion, eldest Daughter unmarried, or the Wife of the* KING'S *eldest Son and Heyr.*

3. *To*

3. *To levy War again the* King, *or adhere to his Enemies in his Realm, and thereof be proveably attainted of open deed by people of their condition.*

4. *To counterfeit the* Kings *Great or Privy Seal.*

5. *Or his Money.*

6. *To slay the* Kings *Chancellor, Treasurer, Justices of one Bench or other, Justices in Eyre, Justices in Assize, and all other Justices assigned to hear and determine, being in their places doing their Offices.*

If any other case supposed Treason which is not above specified, doth happen before any Justices, the Justices shall tarry without any going to Judgement of the Treason till the Cause be shewed and declared before the King *and his Parliament* (not before the House of Commons only, or before both Houses without the King) *whether it ought to be adjudged Treason.*

So the four Lords ought to have been Tried not by a new shambles of Justice.

You see how few in number these Treasons specified are, and that they must be attainted of open deed by their Peers; our *words were free under Monarchy, though not free under our Free-State*; so were they under the Romans. *Tacitus, An.* 1 *sub finem*, speaking of Treasons, *Facta arguebantur, dicta impune erant.* These horrible tyrannies considered (and being destitute of all other less desperate relief) I do here solemnly declare and protest before that God that hath made me a Man, and not a Beast, a Free-man, and not a Slave, that if any man whatsoever that taketh upon him the reverend name and title of a *Judge* or *Justice* shall give Sentence of death upon any friend of mine upon this or any other illegal Act of this piece of a House of Commons, I will, and lawfully may (the enslaving scar-crow doctrine of all time-serving, State-flattering Priests and Ministers, notwithstanding) follow the examples of *Sampson, Judith, Jael*, and *Ehud*, and by *Ponyard, Pistol, Poyson, or any other means whatsoever, secret, or open, prosecute to the Death the said Judge and Justice, and all their principal Abettors:* And I do here invite and exhort all generous free-born English-men to the like resolutions, and to enter into Leagues defensive and offensive, and sacramental associations (seven or eight in a company, or as many as can well confide in one another) to defend and revenge mutually one anothers Persons, Lives, Limbs, and Liberties as aforesaid a-

gainſt this, and all other illegal and tyrannous Uſurpations.

162. A motion to inlarge Sir *Will. Waller*, &c. And the Generals Anſwer intimating the ſecuring of the Members to be done by confederacy with the Army-party in the Houſe.

About this time, or a little before, the General was moved to enlarge Sir *William Waller*, and the other Members illegally kept Priſoners in *Windſor*: He anſwered, *They were no longer his, but the Parliaments priſoenrs*; It ſhould ſeem the Brute hath made a private deed of gift of them to his Journy-men of the Houſe. The Generals Warrant ſeized and impriſoned them, and notwithſtanding the Councel of Officers declared in Print, *that they were preparing a Charge againſt them*, yet the Knaves lyed like Saints; they were then ſo far from having matter to accuſe them of, that they have ever ſince hunted after a Charge againſt them, and endeavoured to ſuborn Witneſſes; but after 24 weeks reſtraint (whereas by the Law *no man ought to be committted without an accuſation*) they have found nothing againſt them. This turning over of theſe Priſoners to the Houſe of Commons, proves what I formerly aſſerted in Sect. 24. *That the violence of the Army in ſecuring and ſecluding the Members, was by conſent of their* Somerſet-Houſe *Junto now ſitting in the Houſe of Commons.*

163. The General ſends forth Warrants to all Juſtices of the Peace to attach thoſe Levellers that he had routed.

The honeſt Levellers (moſt of them Country-men) endeavouring to draw to a Randezvouz, about 600 or 700 of them marched from *Banbury* to *Burford* in *Oxfordſhire*, where lying ſecurely (becauſe they were upon treaty with the Enemy) their Quarters were beaten up, and about 180 of them taken Priſoners, which their enemies (according to their uſual cuſtome) to gain reputation by lying, reported to be ſo many Hundreds. And the General (as if they had been all routed) ſent forth his Warrants to all Juſtices of the Peace in the adjacent Counties, requiring them to *apprehend and ſecure all ſuch of them as ſhall be found*; I deſire to know by what Authority the General takes upon him to command Juſtices of the Peace who are not under his power, and what tame Animals theſe Juſtices are that will ſubmit to his commands? and whether he thinks the Civil Magiſtrate to be obnoxious to the Power of the Sword, and the Councel of Officers? and his ſingle ſelf the Supreme Magiſtrate or Tyrant Paramount, notwithſtanding the Vote of his Journy-men Commons, *That no ſingle Man ſhould be truſted with the Supreme Power.*

See the Vote and Act for aboliſhing the Kingly office.

The Levellers having poſſeſſed themſelves of *Northampton*: The

the General (it is said) thought fit to take hold of the Horns of the Altar, and wrote to his Vassals of the City to send their Trained Bands to his relief, that he might the better domineer over them, and continue their slavery hereafter. But if the Citizens have no more wit, I wish their Horns may be as visible in their fore-heads, as the Nose in *Olivers* face.

The General sends to the City for additional Forces.

165. To cozen the honest Levellers, the Commons (in order to the ending this present Parliament) are debating how to pack a succeeding Representative as wicked as themselves, and of the same leaven; whose Election shall not be free, but bounded with such Orders of limitation and restriction as shall shut out all men from electing or being elected, as are not precisely of the same principles and practises, and as deep engaged in their tyrannical trayterous, cheating, bloody designs as themselves, guilty Committee men, and Accountants to the State shal be the next Representative; and for the better lengthening of the businesse (that they may see what success (in the mean time) the Levellers will have) they wire-draw it through a Committee, and refer it to be debated by a Committee of the whole House. And at last (if they must dissolve) having packed themselves into a Counsil of State, they will usurp the Supreme Authority there: to prepare the way to which design, they have passed another Act, *May* 19. *That the people shall be Governed as a Free-state by Representatives, and by such as they shall constitute*; and then consider what kind of Representatives we are like to have.

The Commons colourably debate to dissolve this Parl. and settle a succeeding Representative.

166. Great care is taken that the State (or rather our States-mens private pockets) might not be prejudiced by Judgements, Extents, &c. lying upon Delinquents Estates: you see notwithstanding their Declaratory Vote, *That in things concerning the Lives, Liberties and properties of the people, they would maintain the known Laws of the Land*; yet this Vote (as well as all others) hath a *condition implyed*, that it do no ways hinder the gains of our godly Grandees, otherwise they would not consider how to defeat Creditors of their legal assurance,

A debate how to defeat Judgments, Extents, &c. upon Delinquents Lands, &c.

167. *John Lilburn* being ordered a close Prisoner in the Tower by the Commons without Pen, Ink, or Paper (which was tyranny under King *Charls*, but not under K. *Oliver*) a Petition was presented to the Commons by many well-affected, that *John* might

John Lilburns starving imprisonment in the Tower.

have the allowance usually and legally due to Prisoners in the like case for his support; which was rejected, insomuch that *John* was kept 3 whole days with one half meals meat; this is to condemn men unheard to be murdered by famine in their *private slaughter-houses*, when they cannot, or dare not murder them in their *pretended Courts of Judicature, or publick shambles*: yet afterwards, when the drawing together of the Levellers and discontents of *Newcastle* affrighted the Commons, they Voted him the short allowance of 20 s. a week. Thus you see nothing but *fears* and *dangers* can kindle the least spark of *goodness* and *compassion* in their woolvish breasts: wherefore Lord (I beseech thee) heap *fears and terrors* upon their guilty pates, till with *Judas Iscariot* they cry out, *We have sinned in that we have betrayed innocent blood.*

The allowance is 4 l. a week, as I conceive.

168. Why *Ireton* laid down his Commission.

Cromwell being to march against the Levellers, left *Ireton* behind him (like a hobby daring of larks) to over-awe the Conventicle at *Westminster*, and see they chaunt no tune but of their setting, the better to keep himself in a neutral reconciling posture: *Ireton* laid down his Commission, (which he can take up again at pleasure) whereby he puts off all addresses to him from the levelling party for the present. This poor fellow now keepeth his golden Coach which cost 200l. and 4 gallant Horses. The world is well altered with such petty Companions; and hereby the Souldiers may see what becomes of their Arrears. There hath been a seeming falling out between *Cromwell* and *Ireton*.

169. *Hugh Peters* visits *J. Lilburn* in the Tower, and the sum of their Conference. Witness his tampering with *Hamilton*, &c.

John Lilburn being a close Prisoner in the Tower (as hath been said) *Hugh Peters* (Chaplain in Ordinary to two great Potentates, *Lucifer* and *Oliver*) came about dinner-time (*May* 25. 1649.) to visit him; and though admittance be denied to other men, yet to him the Gates flew open: as sure as Saint *Peter* keeps the Keys of Heaven, *Hugh Peters* keeps the keys of our Hell and our Grandees Consciences, and openeth and shutteth at pleasure: he is Confessor at *Tyburn*, and hath a great power over damned Spirits, or rather over such Spirits, as not submitting basely to the tyranny of our State-Mountebanks, incur their condemnation in this word (by Gods permission) in order to their salvation in the next world: the tyranny of these Usurpers implying at once, their cruelties over our bodies, and Gods

Gods mercy to our ſouls. *Hugh's* firſt ſalute was, *That he came meerly to give* John *a viſit, without any deſign* (his guilty conſcience prompting him to a voluntary Apology.) *John* anſwered, *I know you wel enough, you are one of the ſetting Dogs of the great Men of the Army, with fair and plauſible pretences to inſinuate into men, when they have done them wrong, & to work out their deſigns when they are in a ſtrait, and cover over the blots that they have made.* Then *John* complained of the ‖ *illegal and violent ſeizing upon him by Souldiers, and carrying him before that new erected thing, called* [A Council of State] *who committed him without any Accuſor, Accuſation, Proſecutor or Witneſs, or any due proceſs of Law; and yet when the King impeached the five Members, and preferred a Charge of high Treaſon againſt them;* Recorded 1. par. Book of Decl. p. 35. *and only failed in a ſingle puntilio of due proceſs of Law,* they cried out, *it was an Invaſion of the Peoples Liberties; ſo that four or five Recantations from him* (recorded in their own Declarations) *would not ſerve his turn. Peters* half out of countenance (if ſo proſtituted a Villain that practiſes impudence amongſt common Whores, and whoſe Pulpit is more ſhamefull than another mans Pillory, can be out of countenance) takes up one of *Coke's* Inſtitutions, & profeſſed *Lilburn was meerly gulled in reading or truſting to thoſe Books, for there were no Laws in* England. *John* anſwered, *he did believe him, for that his great Maſters,* Cromwel, Fairfax, &c. *had deſtroyed them all. Nay* (quoth *Hugh*) *there never were any in England*; with that *John* ſhewed him *the Petition of Right*, asking him, *whether that were Law?* which *Peters* had the impudence to deny, asking, *what Law was? John* replyed * out of the Parliaments own Declarations, *The Law is that which puts a difference between good and evil, juſt and unjuſt: If you take away the Law, all things will fall into confuſion, every man will become a Law unto himſelf, which in the depraved condition of humane nature muſt needs produce great enormities; Luſt will become a law, Envy a law, Covetouſneſs and ambition will become laws; and what dictates, what deciſions ſuch laws will produce may eaſily be diſcerned. This* (Mr. Peters) *is a Definition of Law by the Parliament in the dayes of their primitive purity, before*

‖ Compare this Act of the Kings, with the violent Act of thoſe Traytors and Tyrants, *Fairfax* and his Councel of War in imprioning and ſecluding above 200 Members at once without cauſe ſhewn, and leaving only 40 or 50 of their cheating Faction in the Houſe to carry on their bloody Anarchical deſigns; ſome of which ſecured Members with barbarous uſage were almoſt brought to death, and their murther ſince attempted by Souldiers.

* The Law is now taken away, and all ſtates governed by Tyrants.

things in confuſion by turning our Monarchy (without our conſent) into a Free-State o-

they

they had corrupted themselves with the Commonwealths money. And elsewhere the Law is called, The safeguard, the custody of all private Interests, your honors, lives, liberties, and estates, are all in the keeping of the Law, without this every man hath a like Right to any thing; It is the best birth-right the Subject hath: it is a miserable servitude or bondage where the Law is uncertain, or unknown. To this the Comick Priest replyed, *I tell you (for all this) there is no Law in this Nation but the Sword, and what it gives; neither was there any Law or Government in the world, but what the Sword gave.* To this the honest Lievtenant Colonel answered, *Mr. Peters, you are one of the Guides of the Army, used by the chief Leaders to trumpet their principles and Tenents; and if your reasoning be good, then if six Theeves meet three or four honest men and rob them, that act is righteous, because they are the stronger Party.* And *if any power be a just power that is uppermost, I wonder how the Army and Parliament can acquit themselves of being Rebels and Traytors before God and man, in resisting and fighting against a just power in the King, who was a power up and visible, fenced about with abundance of Laws, so reputed in the common acceptation of Men: by the express letter of which all those that fought, against him are* (ipso facto) *Traytors; and if it were not for the preservation of our Laws, and Liberties, why did the Parliament fight against him, a present power in being? and if there be no Laws in* England, *nor never was, then you and your great Masters,* Cromwell, Fairfax, *and the Parliament, are a pack of bloody Rogues and Villains, to set the People to murder one another, in fighting for preservation of their Laws (in which their Liberties were included) which was the principal declared Cause of the war from the beginning to the end. I thought* (quoth the Lievtenant Colonel) *I had been safe when I made the known Laws the rules of my actions, which you have all sworn and declared to Defend and make as the standard and touchstone between you and the People.* **I but* (replyed *Hugh*) *I will shew that your safety lies not therein, their minds may change, and then where are you? I but* (quoth the Lievtenant Colonel) *I cannot take notice of what is in their minds to obey that; but the constant Declaration of their minds* (never contradicted in any of their Declarations) *as, that they will maintain the Petition of Right, and Laws of the Land, &c.* This was the substance of their discourse, saving that *John* pinched upon his great Masters large fingring of the Com-

This Doctrine of Devils, that it is lawful to submit to any present power that is strongest, is broched in a Pamphlet by old *Rowse* the illiterate Jew of *Eaton Colledge*. And by *John Goodwin* the sophistical Divine; which is fully confuted in *A Religious Demurrer concerning submission to the present power*, an excellent peice.

* The Laws are now no protection to us, nor the rule of our actions, but the arbitrary wills and lusts of the Grandees.

mon-wealths money, calling it, *Theft and State-Robbery*, and saying, *That* CroMwel *and* Ireton *pissed both in one quill, though they seem sometime to go one against another; yet it is but that they may the more easily carry on their main design, to enslave the People.*

Reader, I was the more willing to present the summe of this Debate to thee, that by comparing their doctrine and principles with their daily practices, thou mayest perfectly see to what condition of slavery these beggarly upstart Tyrants and Traytors have reduced us by cheating us into a War against our lawful Sovereign, under pretence of defending *our Laws and Liberties, and the Priviledges of Parliament*, which themselves only (with a concurring faction in the House) have now openly, and in the face of the Sun pulled up by the roots, and now they stop our mouths, and silence our just complaints with horrid, illegal and bloody Acts, Declaring *words* and *deeds* against their usurpations and tyranny to be *High Treason*; nothing is now Treason but what the remaining faction of the House of Commons please to call so. *To murder the King, break the Parliament by hostile force, put down the House of Lords, erect extrajudicial High Courts of Justice to murder men without Trial by Peers, or Jury, or any legal proceedings; to subvert the fundamental Government by Monarchy, and dispossess the right Heir of the Crown, and to usurp his Supreme Authority in a* factious fag-end *of the House of Commons, to put the Kingly Government* into a packed Junto of forty Tyrants, called, *Councel of State, to exercise Martial Law in times of Peace*, and upon persons no Members of the Army; *to raise* what unnecessary *illegal Taxes* they please, and share them and the Crown Lands and Revenues amongst themselves, leaving the Souldiers unpaid to live upon *Free-quarter*, whilst they abuse the people with pretended *Orders against Free-quarter; to alter the Styles of Commissions, Patents, Process, and all Legal proceedings, and introduce a forraign Jurisdiction; to Counterfeit the Great Seal and Coin of the Kingdom*, and to *keep up Armies of Rebels* to make good these and other Tyrannies and Treasons, *is High Treason by the known Laws*; but now (by the Votes of the Conventicle of Commons) it is *High Treason to speak against these crimes.* Good God! how long will thy patience suffer these Fools to say in their hearts *there is no God?* and yet *profess* Sect. 162.

thee

thee with their mouths? to break all Oaths, Covenants, and Proteſtations made in thy Name to cloak and promote their Deſigns with dayes of impious faſting and thankſgiving? how often have thy Thunderbolt rived ſenſleſs Trees and torn brute Beaſts that ſerve thee according to their Creation? yet thou paſſeſt over theſe men who contemn thee, contrary to their knowledge and profeſſions; *Scatter the people that delight in War: Turn the Councels of the wiſe into folly, let the crafty be taken in their own net;* and now at laſt, *let the Oppreſſed taſte of thy mercies, and the Oppreſſor of thy juſtice*; throw thy rod into the fire, and let it no longer be a bundle bound together in thy right hand, They appeal to thee *as Author* of their *proſperous ſins*, become (Lord) *Author of their juſt puniſhments*; beſtow upon them the *rewards of Hypocrites*, and teach them to know the difference between the *ſaving ſtrength* of Magiſtrates, and the *deſtroying vioence of Hang-men:* But what am I that argue againſt thy long-ſuffering (whereof my ſelf ſtand in need) and ſeek to ripen thy vengeance before thy time? *Shall the pot ask the Potter what he doth? I beheld the proſperity of the wicked, and my feet had ſlipped: Lord amend* all in thy good time, and teach us heartily to pray, *Thy will be done in Earth as it is in Heaven.*

170. The Act for Aboliſhing Monarchy proclaimed in *London.*

May 30. 1649. The aforeſaid Trayterous Act *for aboliſhing Kingly Government*, and converting *England* into a *Free-State*, (conſiſting of forty Tyrants, and many millions of ſlaves) was proclaimed in *London* by the newly intruded *illegal Lord Mayor Andrews*, accompanied with 14 *Aldermen* of the ſame pack; the people in great abundance crying out, *Away with it, away with it*; *GOD ſave King CHARLES the Second*; and bitterly reviling and curſing it and them, until ſome Troops of Horſe (ready prepared in ſecret) were ſent to diſperſe, beat, and wound them: and yet the *Trial of the King*, and the ſubverting of our well-formed *Monarchy* (under which we lived ſo happily heretofore) with all other Acts of the like high nature, was done *in the name of the People of England*, although (I dare ſay) at leaſt *five hundred to one* (*if they were free from the terrour of an Army*) *would diſavow theſe horrid Acts*; ſo little are the people pleaſed with theſe doings: notwithſtanding the *new Title* the Conventicle of Commons have gulled them withall, Voting the people

of

of *England* to be *The Supreme Power*, and the Commons representing them in Parliament, *the Supreme Power of the Nation* under them: This was purposely so contrived to *engage the whole City*, and make them as desperately and impardonably guilty as themselves; and certainly if this Tumult of the People (*amounting to a publick disclamour of the Act*) had not happened, the whole City had been *guilty by way of connivance*, as well as these Aldermen, and the *illegal Common Councel*, newly packed by the remaining Faction of Commons, contrary to the Cities Charters, to carry on these and such like Designs, and *entangle the whole City in their Crimes and Punishments.*

* *The Names of the Lord Mayor and Aldermen of the City of* London *that personally proclaimed the Act* for abolishing Kingly Government.

Alderman *Andrews*, Lord Mayor.

Alderman *Pennington*,	Alderman *Bateman*,
Ald. *Wollaston*,	Ald. *Atkins*,
Ald. *Faulkes*,	Ald. *Viner*,
Ald. *Kenrick*,	Ald. *Avery*,
Ald. *Byde*,	Ald. *Wilson*,
Ald. *Edmonds*,	Ald. *Dethick*,
Ald. *Pack*,	Ald. *Foot*.

171. A Thanksgiving Dinner in the City for the General, &c.

The Pharisaical House of Commons voted an Act, *June* 1. for a day of Thanksgiving to set off K. *Olivers* Victory over the Levellers with the more lustre, and to sing *Hosanna* to him for bringing the grand Delinquent to punishment. The wise Lord Mayor and his Brethren (in imitation) invited the Parliament, Councel of State, the General, and his Officers, to a Thanksgiving Dinner upon that day. The Commons appointed a Committee (under pretence of drawing more money from Adventurers for the Relief of *Ireland*) to engage the City farther to them; *Cromwel* had the Chair in that Committee: the device was, that the Common Councel should invite the Parliament,

Councel of State, and Officers of the Army to Dinner, and feaſt them as a Free-State, and then move the Supplies for *Ireland*. But if the Levellers had prevailed, the Thankſgiving White-broth and Cuſtard had been beſtowed upon thoſe free-ſpirited Blades, whom *Oliver raiſed into a mutiny with one hand* (and by advantage of his Spies) *caſt down with another*, for the glory of his own Name, and *that he might have occaſion to purge the Army* (*as he had done the Parliament*) *of all free-born humours.*

172. The Councel of State ſit in pomp at *White-hall*.

White-hall is now become the Palace of a *Hydra of Trants inſtead of one King*, where our *Hogens Mogens*, or *Councel of State* ſit in as much ſtate and ſplendour, with their Rooms as richly hanged (I wiſh they were ſo too) and furniſhed (if you will believe their licenced News-books) as any Lords States in *Europe*, yet many of theſe *Muſhromes of Majeſty were but Mechanicks*, Gold-ſmiths, Brewers, Weavers, Clothiers, Brewers Clerks, &c. whom ſcornful Fortune in a ſpiteful merriment brought upon the Stage, and promoted to act the parts of Kings (to ſhew that Men are but her Tennis-balls) and when ſhe is weary with laughing at their diſguiſes, will turn them into *the Tyring Room out of their borrowed caſes*, and ſhew us that our *Lions* are but her *Aſſes*. The Kings poor Creditors and Servants may gape long enough (like Camelions) to ſee the afore-ſaid Ordinance executed, *for ſale of the Kings Goods to pay their Debts*; they (poor Souls) are left to ſtarve while theſe Saints Triumphant revel in their Maſters Goods and Houſes.

173. A general ſurvey to be taken of the whole Kingdome, that every mans Eſtate both real and perſonal may be taxed.

Orders about this time were ſent forth into *London* and the Counties adjacent *for certain Committees to enquire upon Oath, and certifie the improved value and revenue of every mans eſtate real and perſonal*, wherein good progreſs hath been made already; the like is to go forth throughout the Kingdome. That our forty mechanick Kings now ſitting in *White-hall*, and the ſelf-created ſupreme Authority of the Nation, may take an exact ſurvey (in imitation of *William the Conquerours* Book of *Survey*, called *Domes-day*, remaining in the *Exchequer*) of their new conquered Kingdome, and know what they are like to get by their villanies, and how to load us with Taxes and Free-quarter, and what the value of their Eſtates are when they have compleated their Deſign *of Sequeſtring the Presbyterians, as they have done the Royaliſts.*

The

The faction in the House are, this beginning of *June*, 1649. sitting abroad upon an Act *to enable Committees to give oaths in some cases*; and yet the *House of Commons never had* nor pretended to have *power to give Oaths* themselves (though every Court of *Py-powders* hath) because the *House of Commons is no Court of Judicature*, but only the *Grand Inquest of the Kingdom to present to the King the grievance and the necessities of the people by way of humble Petition*; as appears by the Law-books and Statutes: and therefore the Commons can grant no more than they have themselves. But now the remaining faction of the House have voted themselves to be *the Supream Authority of the Nation*, and have a Sword to maintain it, they and we must be what they please; yet I must affirm, that to take *illegal Oaths* is never justifiable before God nor man, and no less than damnable. But it may be) that by accustoming the people to take these new-imposed, illegall Oaths, they hope to make them the more easily swallow their intended *new Oath of Allegiance* to their *new State* and their own Damnation together hereafter.

174. An Act enabling Committees to give Oaths.

All the Scrivenors about the Town are commanded by the Supreme thing *to produce their Shop-books*, that notice may be taken who are guilty of having money in their purses, that the fattest and fullest may be culled out, and sequestred for Delinquents, now that their almighty Saint-ships have occasion to use it for defence of their Free-State, if they would but search one anothers private pockets they would find money enough. The like attempt (only) in the Kings time was cryed out upon as a high peice of tyranny, but nothing can be tyranny under a Free-State: The Supream Authority being so full a Representative-glass of the people, that it takes our very substance into it self, and leaves us only the shadow, whilst we wander up and down like our own Ghosts, who having lived under the Monarchy of Good *King* CHARLES, are now dead and descended like shades into the Kingdom of *Nuto*.

175. Scrivenors commanded to shew shop books.

The 7. *June*, 1649. the Thanksgiving (spoken of Sect. 172.) was solemnized in the City: The Lord Mayor meeting the Speaker, resigned to him (as formerly was used to the King) the Sword of State (as had been ordered by the House the day before) and received it again from him; and then the Mayor conducted

176. The aforesaid Thanksgiving solemnized.

them all to *Christ-Church*, where the Commons, Councel of State, General, and his Officers, together with the Mayor, Aldermen, and Common Council, &c. mocked God with their Devotions, where Mr. *Tho. Goodwin*, and Mr. *Owen* preached out of the Politicks to them: from thence they were conducted to a great Dinner at *Grocers-hall*, and entertained in the quality of a *Free-State*, no man being admitted without delivering his Ticket They were all strongly guarded with Souldiers, and every Cook had an Oath given to be true to them, which shewed they had more of fear and guilt than of confidence and innocency within them. Great presents of Plate given to his Excellency *Fairfax* and to his Super-excellency *Cromwell*, and to others, fit to be chronicled in *Stows*, and *Hollinsheads* Volumes, amongst other solemn Fooleries; let it not be omitted that *Hugh Peters* and many other Saints were too full of the Creature (*anglice*) Drunk.

177. A necessary advertisement to all honest Presbyterians See K. *Charls* the first his Book [*The Portraicture of his Majesty in his solitudes & sufferings*]

I am to give a necessary advertisement to all men, that though the young *King* shews much respect, and a desire of reconcilement (according to his dead Fathers never dying precepts) to all moderate men and Presbyterians that make Addresses to Him, yet it is complained of by some (who look not into the undermining practises of our new Statists) that some few of his Counsellors and Followers are as violent against the more moderate and honest Presbyterians, as against the Independents who murdered his Father; but these zealous Royalists are either some passionate light brain'd men of little discretion and less power with him, or else some false hearted Pensioners to our new State, and such as have under-hand an indemnity for their own Estates in *England*, who stand like Scar-crows about His Majesty, to fright away such as return to their Loyalty, and render their due Allegiance to him, thereby to weaken the hands of his Majesty, and cut off the hopes of this Nation from depending upon him, who as our undoubted Sovereign (both by the Laws of God and the Land) and Gods Vice-gerent in his three Kingdoms, onely can and will (if we forsake not him and our selves) free and protect us from the many-headed, miserable, arbitrary tyranny we now starve and bleed under: and restore unto us again our Religion, Laws and Liberties, our Wives, Children, and Estates, Trading, Husbandry, peace and plenty now held

Some over-hastily expect the King should satisfie the Presbyterians by his Declaration; but the height of the Independents malice and their guilty feares are such as may endanger the drawing on a Massacre upon them by such a course.

held in more than Ægyptian bondage, by our cruel bloudy, and thieviſh-Task-maſters; *Remember his deceaſed Majeſties gracious Meſſages* frequently ſent for peace and reconcilement; *Remember his Conceſſions* to his Parliament upon the laſt Treaty; (more than ever any King granted to his people.) *Remember His pious meek and Chriſtian Martyrdome* ſuffered for His People, which bitter Cup had paſſed from Him if He would have built up and eſtabliſhed this *Babel* of Tyranny now inſulting over us, and have turned our well-mixed Monarchy into an Olygarchical legal Tyranny, by adding his Royal aſſent to their wicked Demands, tendered to him but two dayes before his Tranſlation from this valley of Tears. *Remember his Poſthumus Book to his Son, full of Precepts*, ſavouring meerly of piety, Chriſtian wiſdom, Charity, and forgiveneſs to his very Enemies; and then judge whether our late King, or our uſurping Kinglings (now ſcratching and tearing us, making one war beget another, perpetuating an Army, and domineering over us by the power of the Sword) were the natural Parent, whoſe bowels yearned upon this (now) Orphan Child, the Engliſh Nation dying and expiring under this new Corporation of Tyrants (the putative Parent) which overlayed it? He that ackowledged allegiance to the Father, cannot deny it to his Son, as having *ſworn to bear faith and true Allegiance to the King his Father, and to his lawfull heirs and Succeſſors*; which our uſurping *Hogens Mogens* cannot pretend to be: ſo that as well for duty and conſcience to God and their own ſouls, as for a neceſſary and juſt protection of their lives and eſtates, all honeſt and wiſe men ought to caſt themſelves into the Arms of his Dread Majeſty our preſent King, as the only Sanctuary of their Salvation, and not ſuffer themſelves to be ſo far miſ-led by vain reports, as to be more fraid of their cure than their diſeaſe.

See a Book, entituled, *His Majeſties gracious Meſſages for peace.* Mr. *Pryns* Speech, 5. *Dec.* 1648. in the Houſe. And the ſecured Members Reply to the Council of War.

1 King. 3.

Oath of Allegiance, and Stat. of Recognition, 1 *Jacobi.*

Stultorum incurata pudor malas ulcera celat.

Solomon hath ſhewed you out the Cabinet of Nature the difference between a Natural Mother and a Step-mother; and that you may ſee the difference between a natural King, correcting his own people with fatherly compaſſion for examples ſake; and a uſurper, wounding, killing and robbing (thoſe which are none of

Dictum de Kennelworth.

of his own) his fellow-servants for his lust and lucre sake, I will set down a short abridgement of our own famous *Dictum de Kenelworth*, and first the occasion thereof which was thus:

Simon de Montford, Earl of *Leicester*, conspiring with many other great men, rebelled against *Henry* 3. pretending (after the manner of all Rebels) *Reformation of publick Grievances*. He overthrew the King in battel, took Him and his Son Prince *Edward* Prisoners; the Prince after a while escaped out of Prison, raised an Army, overthrew and slew in the Battel of *Evesham Simon Montford*, subdued the whole Party, rescued and re-inthroned his Father. Commissions were sent forth to prevent future troubles, & settle mens minds grown desperat with fear what horid punishments so horrible a Rebellion would bring upon them: The result of all is contained in the said *Dictum de Kennelworth*, as I find it in *Magna Charta veteri, fol.* 60. *part.* 2. observe the moderation of it; No man bled to death for it but in the field; the blood of war was not shed in time of peace; the King did not slay those whom he had taken with his Sword, and with his Bow, but reasonably fined them, not unto destruction: though the known Laws called them *Traytors*, and put them into his power for life, lands and goods; they were but once punished, not always tormented and kept upon the rack, after the late custom of our fellow-Servants and Subjects; who will never suffer the partition-wall between us to be thrown down, *England* once more to become one Nation, and one people; and our broken bones to be again set and knit together.

See the late History of the Marquess of *Montross*, what gentle use he made of his victory after he had subdued the strength of *Scotland*, at the Battel of *Kylsythe*.

Dictum

Dictum de Kennelworth.

None to be Dis-inherited, but onely fined: As namely, Those

1. *That began and continued in War.* 2. *That held* Northampton *against the King.* 3. *That fought against him at* Lewis, Evesham, Chesterfeild. 4. *That were taken at* Kenilworth. 5. *That sacked* Winchester, *being yet unpardoned.* 6. *That voluntarily sent against him, or the Prince.* 7. *The Officers of the Earl of* Leicesters *who molested their Neighbours with Rapine, Fire, Murder, or otherwise, to pay in three years five years value, and half their estates of Land. If they sell it, such as are by the Kings grant possessed of them to have them, giving as any other, &c. and so if it be to be Let, those who pay the whole to have all instantly, and that pay half, to have half: If in three years the whole be unpaid, the land to be divided between him that ows it, and him to whom the King hath given it. If any have Woods by sale of which he would pay his Fine, the money to be paid by two, of which either side to chuse one.*

2. *Knights and Esquires, who during the War have enriched themselves by Rapine, having no Land, to pay half their goods, and be bound with Sureties to the peace; if no goods be acquitted by Oath,* exceptis bannitis quibus solus, Rex potest remittere.

3. *Lords of Wards to pay for them, and be answered by their Wards when they come to age; which if they accept not, the Wardship to accrue to such as the King hath given the Ransome to, and they to be so answered.*

4. *The*

4. *The Kings Wards to remain where they are placed, and be Ranſomed as others, but without deſtruction.*

5. *Such as were with the King before the battel of* Lewis, *and ſince are Diſ-inherited, His Majeſty to declare his pleaſure touching them.*

6. *No man poſſeſt of Wood to fell any, but oneiy for repair, till the laſt day of payment be paſſed, and not obſerved.*

7. *The King and the Popes Legate to ſend beyond ſea for a time ſuch as are likely to trouble the peace of the Kingdome, which if it hindred the paying of their Ranſome, not for that to be Diſ-inherited.*

8. *Such as were grieved with this Agreement might appeal to the Kings Court before S.* Hilary, *and ſuch as were beyond ſea to have* inducias tranſmarinas.

9. *Becauſe the King was to reward many and ſome had too much, the King out of the Fines to provide for them.*

10. *The Legate, King, and* Henry d'Almain *to Elect twelve who ſhould cauſe theſe Articles to be executed, and to ſee performed what they ordain according to the eſtimates already taken, or if not, to have new rates taken reaſonable and true.*

11. *Tenents that were againſt the King to loſe their Leaſes; but at the expiration of their time the Land to retorn to the true owner.*

12. Forts

12. *Forts built by the aſſent of the King, but without that of the Perſon diſ-inherited, after the Fine paid in three years, to pay the coſts of building of it in ſix years, or receive a reaſonable exchange in Land.*

13. *Such of the Lay as apparently drew any to the part of the Earl of* Leiceſter *to pay two years Revenue.*

14. *The Buyers of other mens goods wittingly, to reſtore the value of that they have bought, and be at the Kings mercy, becauſe that they did was againſt juſtice.*

15. *Thoſe that at the Earls command entred* Northampton, *yet fought not, but entred the Church.*

16. *Such as held not of the Earl, yet at his command entred to the action with him to pay half one years Revenue.*

17. *Such as held of the Earl to be only at the Kings mercy.*

18. *Impotent perſons, and ſuch as did nothing to be reſtored to their Poſſeſſions, and by juſtice recover their damages, their Accuſers puniſhed by Law, yet without loſs of life or limb.*

19. *Maliciouſly accuſed to have their Eſtates immediately reſtored.*

20. *Women to have their own Lands, and what they had of their firſt Husbands; if their late Husbands were againſt the King to be reſtored according to Law, or Fined.*

21. *None to be fined but such as were against the King.*

22. *Such as have been pardoned to remain so.*

23. *Those that are fined to answer no Loss done to any, but all damages to be remitted on every side; except those that intermedled not, and of the Church, whose actions are saved.*

24. *The King by reasonable Exchange to receive the Castles of* Erdsley-Bishop, *and* Chartley, *it seeming dangerous to leave Forts in their hands who have carried themselves ill towards the King.*

25. *Those that in the future shall commit any outrages to be punished by Law.*

26. *An Oath to be taken where it shall be held convenient, not to pursue each other with revenge; and if any shall attempt the contrary, to be punished according to Law.*

27. *The Church to be satisfied by those that injured it.*

28. *Such of the Dis-inherited as refuse this Composition to have no Title to their Estates, and to be esteemed publick Enemies to the King and Kingdome.*

29. *Prisoners to be freed by the advice of the King and Legate.*

30. *No Person to be Dis-inherited by reason of these Troubles by any to whom he ought to Succeed.*

You

You see what great care was here taken to prevent spoyl and waste of Woods, &c. whereas in this latter Age the first thing taken into consideration, is, how to raise ready money by destruction of Woods, Housing, and selling of the Stock, to lay the Lands waste, and decay Husbandry to the endangering of a Famine for the present, and the dis-inheriting our innocent Posterity for the future; so little care is taken to keep that well which is so ill and illegally gotten. And how much regard was had to preserve innocent Persons from suffering wrong in any just claim or Title they could make to any Land possessed by a guilty Person; whether they claimed by Dower, Joynture, Title, or Estate in Reversion, or remainder, or otherwise: I wish the like justice were now observed.

178. The losse of ships at *Kingsale* suppressed and misreported in the House, and why?

Monday night, 4. *June*, 1649. that third part of a Lord Admiral, Col. *Edw. Popham* came to *Westminster*, and presently made his Addresses to the high and mighty Estates in *White-hall*, giving them a dismal relation of his ill success in tampering with the Governor of *Kingsale* in *Ireland*, who (proving honester than the Saints expected) took a sum of money of him to betray the Town, Forts, and Ships in the Road: But when *Popham* came in to the Haven to take possession of his new purchase, gave him such a Gunpowder welcome, that he lost most of his Men, landed to take livery and seisin, and divers Ships; he was commanded to conceal this ill news, lest it discouraged the City to engage so far with them, as to entertain them in the condition of a Free-State, and surrender the Sword to them, and so spoil the Design of their Thanksgiving Devotions and Dinner to be celebrated together in, and with the City upon Thursday ensuing the 7. of *June*; and lest it should dishearten more secluded Members from comming to sit in the House with them again, knowing, *That Tyrants are followed for their fortunes, not for themselves*; wherefore upon Tuesday following (being the 5. *June*) *Popham* made another kind of Report to the Plebeians of the Commons House (who must not be trusted with the truth of State-mysteries, but (like Wood-cocks) must be led in a mist) *That he had left* Kingsale *blocked up with ten Ships, and the Seas secured in peace and quietness*; and the better to adorn the fable, and suppress the truth from approaching the ears of the people,

the House that day (15. *June*) passed an Order, *That for this remarkable additional mercy bestowed upon them in the prosperous success given to their Fleet at Sea, upon Thursday next,* 7. June (*the day set apart for publick Thanksgiving*) *the Ministers should praise God.* Lord! since these audacious Saints are so thankful to thee for one beating, bestow many more beatings upon them, for they stand in need of all thy corrections. The like attempt hath been upon *Scilly* with the like success, since which time forty sail of Ships are pressed in the *Thames* to recruit the scattered Navy given forth *to be a Winter Guard at* Midsummer.

Scout, from *June* the 8. to 15. 1649. 179.

John Blackiston is packed away to the other world; and the House upon 6. *June*, Voted to his Wife and Children 3000l. out of the Earle of *Newcastle's*, and Lord *Withrington's* Estates, in compensation of the losse of his Pedlery Ware, in his Shop at *Newcastle*; he had formerly given to him 1400l. you see the insatiate hunger of Gold and Silver survives in the very Ghost of a Saint after he is dead: 500l. more was given to *Johns* Brother; an Estate out of the Rectory and demesnes of *Burford* was setled upon the Speaker. 400l. *per ann.* Lands are to be setled upon the General out of the Duke of *Buckinghams* and his Brother the Lord *Francis Villers* Estates. 400l. *per ann.* out of *Claringdon Park* upon the Earle of *Pembroke*. 1000 l. was bestowed upon an eminent Member of Parliament for his many good Services. 4868l. to the Lord *Lisle*, out of the Monthly Assessment for *Ireland*, for his penny-worth of good service done there; you see to what purpose we pay Taxes. 2000l. Land *per ann.* and 1000l. Money given to *Bradshaw*, the price of Blood. And 400l. more given to the Poor of the City (to stop their mouths from cursing upon the Thanksgiving-day) out of the 2000l. Fine set upon the Lord Mayor *Reynoldson for not proclaiming the Act for abolishing Kingly Government*; This is (according to the Spanish Proverb) *To steal a Sheep, and give away the Trotters for Gods sake.* You see the Saints can find money to give Gifts, though not to pay Debts; although the Publick Faith lie at pawn for them. A Committee is appointed to consider how to prefer Mr. *Tho. Goodwin* and Mr. *Owen* to be Heads of Colledges in *Oxford* as a Reward for asserting the late proceedings of Parliament upon the aforesaid Thanksgiving-day. It is not fit such men should

Gifts given amongst the Faction.

serve

serve God for nothing: in the times of S. *Peter* and S. *Paul*, *Godliness was great Gain*; but in the days of our modern Saints *Gain is great Godliness*.

180. The Excise enlarged upon Salt.

The thing that miscalls it self a *Parliament*, hath set an Excise of 1d. the Gallon upon all forraign salt imported; which is, in effect upon all the salt we use, (our home-made salt being inconsiderable) you see our Cups, our Spits, our powdring-Tubs our washing-bowles, our Kettles, our Hats, Dublets, Breeches, Stockings, Shoes; nothing we use, eat, drink or wear, is free from being devoured by these sanctified Locusts of the Free-State, who complained of the King for that petty inconsiderable Tax of *Ship-money*, which His Majesty spent in maintaining Guards of Ships upon our Seas, so much to the Honor of our Nation, that the King of *Spain* trusted all those vast summs of Bullion he sent to the *Low-Countries* to be Coyned in our Mint, and above a third part yearly to be laid out here in English Cloth and Commodities, which with the residue of the Spanish Treasure was afterwards wafted over into *Flaunders* in English Bottoms, for which they were liberally payed; whereby every mans Estate was increased 10l. in the hundred, *England* infinitely abounded with Coyn and Plate, as appears by those many vast sums that have been constantly extorted from the People since the beginning of these Wars; more I dare say, than all our Kings since the Conquest, (excluding *William the Conqueror* and *Henry the Eighth*) ever raised upon the People; and by those many vast sums our seeming Saints have sent into banks beyond Sea, and buried in their private Coffers.

181. A Vindication of the Levellers in some things; and a further design to garble and enslave the Army.

Reader, let me admonish thee, That the Levellers, for so they are mis-called, onely for endeavouring to Levell the exorbitant usurpations of the Council of Officers and Council of State) are much abused by some books lately printed and published in their names, much differing from their declared Principles, Tenets, and practises; but forged in *Cromwels* and *Iretons* shops to cast an *odium* upon them. These State-wolves by such forgeries endeavour to make the Sheep forsake and betray the Dogs that faithfully guard them; that they may with more security fleece them, slay them, and eat them hereafter. *Ireton*, *Haslerig*, and Postmaster-Atturney *Prideaux*, by themselves and their Blood-

Blood-hounds (Spies and Intelligencers) have been very diligent to draw dry-foot after Mr. *Lilburn*, *Walwin*, &c. and suborn witnesses against them, but (not having yet quite extinguished all sparks of truth and honesty, unless it be in their own breasts) failed of their purposes. Yet they go on to purge the Army (as they have done the Parliament and Conventicle of State) of all free-born humors (in order to their destruction) that the Army may consist of meer mercinary brutish Spirits, such as will so far neglect the duties of men and Christians, as to execute all their tyrannous, bloody, illegal Commands, with a blind obedience and implicit faith, without asking a question for Conscience sake, the better to enslave both the Kingdom and Common Souldiers. In farther prosecution of this design, they have projected to levy seven new Regiments, which (by way of Gullery) they call *Presbyterian Regiments*, and shall be raised by Presbyterian Commanders, but those Commanders shall only be imployed to countenance the work for a time, and then for pretended offences be purged out of the Army, if not out of this world, by the Council of Officers, and more confiding men put in their rooms: and then shall these new Officers and Regiments be used as Catch-poles and Hangmen (contrary to the honor of Souldiers) to persecute and execute such Members of the Army as retain any sense or memory of their old Engagements and Principles.

* 182. The pretended Parliaments Council of State and Officers confederated with *Oneal*. See *an After-Game at Irish, &c.* 1649. and the Propositions printed at *Cork*, and reprinted at *London*. From *June* 6. 1649. to *June* 8. 1649.

*I formerly told you of an underhand combination between the domineering Independent party here, and *Owen Roe Oneal*; which is now openly declared and avowed by their own licensed News-books. *Owen Roe* and Colonel *Monk* are joyned (saith the *modest Narrative*) our party have permitted 300 of *Oneals* own Regiment to quarter in our parts amongst the *Creats* within two miles of *Dundalke*, (saith the *Scout*) *Owen Roe* and *Berne* are come towards Col. *Jones*, and Col. *Monks* Quarters, he is so fair as to pay Contribution: his Quarters are to the Scots side of *Dublin*, to prevent their giving aid to *Ormond* in his attempt upon *Dublin*: who can blame necessity? nor do our Grandees now deny this confederacy with the bloody Popish massacring Rebels, although they had the impudence to make the only supposition thereof one of the principal Charges against

Moderate Intelligencer, from *June* 7. to 14. 1649. num. 221.

against the late King; and to raise a great out-cry against the Marques of *Ormond* and Lord *Inchiquine* for their conjunction with *Preston*; yet they joyned but to prevent the *Cromwellists*, who offered to associate with him upon conditions much more prejudicial to the Protestant Religion, and English Interests, than *Ormond* hath given them. They have offered this *Oneale* all the Lands in *Ulster* forfeited by his Grand-father *Tyrone*, *Shane Oneale*, and others attainted, thereby destroying the British Planters there; and this is the reason they imploy so few old Irish Commanders into those parts, lest the *Oneals* should doubt they came to recover their own lands again. But our Atheistical Saints account themselves loose when other men are bound, nothing but halter can hold them; all obligations to men, all duties and vows to God, they break upon *pretended necessity, and honest intentions.* Their Metropolitan Nuntio, *Judas Haclet*, tells you, *Their Party will not joyn with the bloody Irish, until they are brought to such a pinch, as to say,*

Flectere si nequeo superos, Acheronta movebo.

If God will not be the Author and Patron of their Designs, the Devil shall; you see these Independents hang between God and the Devil, *Michael* and the Dragon, not resolved which part to take.

See the Counsel of Wars Answer concerning the secured and secluded Members, from 6. *June* to 13. num. 3.

Be it known unto all men by these presents, that *Harry Parker* the Observator is returned from *Hamborough*, and highly preferred to be Brewers Clerk, (*alias* Secretary) to *Cromwel*; to whose Designs he hath prostituted his pen.

183. *Parker* the Observator.

There is lately come forth a book of *John Meltons* (a Libertine, that thinketh his wife a Manacle, and his very Garters to be Shackles and Fetters to him; one that (after the Independent fashion) will be tied to no obligation to God or man) wherein he undertaketh to prove, *That it is lawful for any that have power to call to account, Depose, and put to Death wicked Kings, and Tyrants (after due conviction) if the ordinary Magistrate neglect it.* I hope then it is lawful to put to death wicked *Cromwels*, Councels of State, corrupt Factions in Parliament; for I know no prerogative that usurpation can bestow upon them. He likewise asserteth,

184. *Meltons* Book *the Tenure of Kings and Magistrates, &c.*

asserteth, *That those who of late, so much blame Deposing, are the men that did it themselves* (meaning the Presbyterians.) I shall invite some man of more leisure and abilities than my self, to answer these two Paradoxes; but shall first give him these cautions:

1. That for the Polemick part he turn all his Arguments into Syllogisms, and then he will finde them to be all Fallacies, the froth of wit and fancy, not the Dictates of true and solid Reason.

2. That for the historical or narrative part, he would throughly examine them, and he will find few of them consonant to the plumb-line of truth.

3. That he would consider, that from the beginning of this Parliament there were three Parties or Factions in it:

1. The *Royalists*,
2. The *Presbyterians*,
3. The *Independents*.

For though they were not then notorious by their name, yet the Persons confederated were then extant and active, being a complication of all *Antimonarchical*, *Anarchical heresies and schisms*, *Anabaptists*, *Brownists*, *Barrowists*, *Adamites*, *Familists*, *Libertines* of all sorts; the true Heirs and Successors of *John* of *Leyden*, and *Knipperdolling* in all their principles and practices united under the general Title of *Independent*; and these were originally the men that by their close insinuations, solicitations and actings began, and carried on the War against the *KING*, with an intent (from the beginning) *to pull down Monarchy and set up Anarchy*, notwithstanding the many *Declarations*, *Remonstrances*, abortive *Treaties*, *Protestations* and *Covenants to the contrary*, which were Obligations (from time to time) extorted from them by the *Presbyterians*, although not strong enough to hold such subtle *Sampsons*, whose strengths to break such Withes lay not in their Bushes of Hair, but in the Ambushes of their Hearts, wherin there always lay hid some evasion, equivocation, or mental reservation, which like a back-door, gave them leave to make an escape. In the beginning almost of this Parl. the *Independents* (that is, the *Schismaticks*) in the Parliament insisted openly upon it, *to have the Papists in* Ireland *rooted out, and their Lands sold to*

See *the Mystery of the two Junto's, Presbyterian and Independent.*

Adven-

Adventurers, and *passing an Act* to that purpose, necessitated the *Irish Papists* to *massacre* the *English Protestants*, which was purposely done by the *Independents*, that both *Papists* and *Protestants* might destroy one another there, that they might the better subvert Protestants in *England*, which is now in hand. And though it be true that the first General, the Earl of *Essex* was a *Presbyterian*, yet he was acted by *Independents*, as the *L. Say* and others of the like stamp; and had a clause in his Commission [*to forbear the* Kings *Person*] which clause upon the *Independents* new modeling the Army under *Fairfax* was omitted at their especial instance.

185. L. C. *Lilburns* Book [The Legal fundamental Liberties of the People, &c.]

Monday 18. *June*, 1649. came forth that most useful Book of *John Lilburns*, called [*The Legal fundamental Liberties of the People of* England *Revived*, *&c.*] wherein he excellently well sets forth *the new usurped tyranny of that Hidra of* Nimrods *now subverting our Laws, Liberties, and Property, consuming us with illegal Taxes, Excise, Free-quarter, Monopolies, and sharing Land Money, Goods, and Offices amongst themselves, perpetuating an Army to enslave us, and overthrow the fundamental Government of this Nation*, in order to which *they have complied with, and cheated all Interests, broken all their Obligations to God and Man, violated all the Laws of this Land, their own Protestations, Covenants, the Oaths of Allegiance, Supremacy* (which themselves caused the people to take) *and their own Votes, Declarations, &c. The illegality of their late erected High Court of Justice, and their unjust proceedings therein, the tyranny and usurpation of the Council of State and Officers of the Army.* And proveth that *Col.* Prides *new purged, new packed House, is neither a House of Commons, nor Parliament; their usurped Supreme Authority to be a meer nullity or fiction*, and especially, *That this Parliament is cleerly dissolved and ended*, which he proveth *by the Death of the King*, and by many other solid Arguments; *and therefore all their actings to be void and null*, with many other considerable passages, where he ingeniously confesseth, *that being the Kings Prisoner at* Oxford, *with many other of the Parliament Party, the King did strictly observe the Laws of the Land in His proceedings against them, which this Parliament doth not do in any their most legall proceedings, for all their pretended Engagements, Declarations, Votes, Protestations and*

Covenants to maintain and defend the Laws and Liberties of the People, Ergo, the King *really*, the Faction in parliament, but *pretendedly fought for our Laws and Liberties.*

186. Tythes to be sequestred for the State.

The Faction are now contriving *to seize all the Tythes of the Kingdom into their own hands* (yet they are the Ministers Freehold) *and to make all the Ministers their stipendiary Lecturers*, that they may *preach and teach* only such Doctrine to the people as may bring them under a blind and slavish obedience to our *forty Tyrants of the new Council of State*; presuming that all our Ministers carry their consciences in their purses, because the *Independents* do so. Look to your ways Christian Brethren, you are likely hereafter to have *Oracles of State* obtruded upon you instead of the *Oracles of God*. If the Ministers will not parret forth the new States Doctrine to you, they shall be starved out of their Pulpits.

187. An Adjournment of this pretended Parliament confidered of.

The thing called a *Parliament* is now likely to have so general a purge as will leave neither life nor soul, dung, nor guts in the belly of it. K. *Oliver* (unwilling to go for *Ireland*, and leave them sitting, who may unvote all he hath compelled them to vote) hath commanded his Journey-men to think of an *Adjournment* for some good time, that they may take the air, and grow wholsome again; and then (without some dire mischance) they never meet more; but *this Supreme thing* hath learned to use so much modesty to *their Superiors*, as to refer it to the *Hogen Mogens*, or *Councell of State*, to *consider what Votes and Acts they shall passe beforehand for establishing their Highnesses in their new Dominion*: And when (out of their usurped *Supreme Authority*) they have conferred as much upon *the Council of State* as their ambitions aim at, they (good boys) shall have leave to break up School and go into the Country to *see their Friends and visit their Foes*; that is all such as have full purses to be squeezed. Thus you see the *method of Divine vengeance observes a Degradation*; 1. *Down went the King*, and his Authority lapsed into the two Houses. 2. *Down went the Peers House*, and all Authority fell down into the Commons House. 3. *Down goes the House of Commons*, and the *Supreme Authority* translates it self into a *Council of State*. And (if my conjecture fail me not) 4. *Down will go the Council of States, and all Authority be grasped into the*

iron hands of Campſon Gaurus *and his Mamaluchy, his Councel of War*, when they ſhall think fit to Act bare-faced without uſing a packt peece of a *Parliament* or *Councel of State* as a Screen or Vizard to cozen and befool the people.

In order to which *Government by the Sword*, *Cromwel* is voted *to go into* Ireland *with his own confiding Officers and Army, with all power Civil and Military for three years*; what doth this import leſs than that he is to be K. of *Ireland?* there to practiſe the firſt rudiments of Kings-craft, and when he hath inured thoſe Semi-barbarians to a *Military Government*, he ſhall return with his *Janiſaries*, and ſubdue the *Engliſh* to the like obedience: In the mean time *his property Fairfax* ſhall be under the obſervation of the *Councel of State* here, and be beleagured both in his own houſe and Army with *Olivers* Creatures; and in this diſhonourable fickle condition he ſhall have the vain honour to keep *Olivers Regalia* (the Crown ſitting upon one ſide like a Fools Cap upon his head) untill he return, and ſhall then be called to account for all odious and unfortunate accidents that ſhall happen (for it is not for the Majeſty of *Oliver* to bear the blame, although they fall out by *Cromwell's* own overſight, or Gods anger upon him) thus *Cromwell's* ſhadow being removed, himſelf may take ſubſtantial and actual poſſeſſion of the Throne which he already enjoyes in all things but the *Title*. And then let all true Saints and Subjects cry out with me, *God ſave K. Oliver, and his brewing Veſſels.*

188. *Cromwel* voted for *Ireland* with full power Civil and Military.

The *Junto* of *Titular Supremiſts* at *Weſtminſter* (eſpecially ſo many as have not packt themſelves into the *Councel of State*) are very unwilling to quit their long-held Dominion, and ſubmit to their own Baſtard-brood, *The Lords States at White-hall*; but there is no remedy, *Oliver* is reſolved to unyoke his Cattel and turn them to graſs; he knows they may unvote all they have voted at his Command, (if during his abſence in *Ireland* or *Scotland* rather) a new emergent power ſhould overawe them; the preſent fear being alwayes moſt terrible to Cowards. But the *Councel of State* hath ſet them their Task, which they muſt ſpeedily perform before they Adjourn, conſiſting of 13 Points:

189. 13 Bills injoyned to be paſſed by the Commons before Adjournment.

1. *That all Acts concerning the Loans of Monies, Exciſe, Sequeſtrations, Goldſmiths-hall, Haberdaſhers-hall, Aſſeſments for* Eng-

land *and* Ireland *be passed.* These reprobate Saints will sooner forget their God, than their Mammon [Money.] You see they mean to perpetuate our burthens, as well as their own Army, and domineer over us with an arbitrary, military tyranny for ever.

2. *That an Act be passed for setling the Militia of the Nation.* This amounts to a *new-invented Commission of Array* (lawful for usurping Saints, though not for a lawful King) by vertue of which the *scum and dregs of the people* (base enough to associate with the Army) *shall be Armed,* & all men of quality and fortunes (unless such as owe their fortunes to their crimes) disi-armed.

3. *Against exporting Wooll and Fullers Earth.* Unless it be for the benefit of the Saints.

4. *To prohibit exportation of Gold and Silver.* The Saints have exported all our Gold already, and most of our Silver; and will never give over the Trade themselves though they prohibit others. But Gold and Silver are drawn out of Mines Royal, and belong to the Saints by their Prerogative.

5. *An Act to be passed for punishment of Revolted Sea-men and Mariners.* None against traiterous, tyrannous, theevish Saints.

6. *An Act for relief of well-affected Tenants against Malignant Land-lords, who have compounded for their Estates, rack their Tenants Rents, or turn them out of doors.* This is a device: First, to make work for such Members as not being of the *Council of State,* would become as contemptible as they are hateful, being devested of all power to play the Tyrant after Adjournment. And secondly, to stir up all the Tenants of *England* (especially *Schismaticks*) to combine with them, against their Land-lords, and deprive them of the legal use of their Estates, and the benefit of their Compositions; for, to what purpose shall Gentlemen compound for their Estate, when they must *let* and *set* them at the discretion of domineering Committees, or Commissioners, conspiring with the high Shoos, to oppress, make a prey of, enslave and unspirit all the Nobility and Gentry of *England,* here aimed at under the general Title of *Malignants?* Oh perfidious Tyrants! keep your money Gentlemen, or turn it into Iron and Gun-powder.

7. *An Act to suppress Malignant Pamphlets asperſing the present pro-*

proceedings of the Parliament, Councel of State, and the Army, and prevent Printing as much as may be. This is to ſet truth in the Pillory, whilſt her counterfeit, impudent, lying and ſlandering ſits in ſtate in *Parliament*, *Councel of State*, *and Councel of Officers*, and rides triumphantly Coached into the City to Thankſgiving Devotions and Dinners.

8. *That the Pulpits being as ſcandalous as the Preſs againſt their proceedings, they enjoyn that a more ſtrict courſe be taken to ſtop the mouthes of the Preachers hereafter.* You ſee how *Ahab*-like theſe Subverters of Church and Common-wealth, accuſe our Prophets *for troubling our Iſrael* (being their own ſin) and ſeek occaſion to bring a *ſpiritual* as well as a *corporal famine* upon the Land, cutting off *the ſtaffe of bread* as well *from our ſouls as bodies*, by ſtopping the mouths of Gods Miniſters. But I hope they will remember the duty they owe to the honour of him that ſent them upon his Embaſſage to his people, and fearing God more than man, every man cry out to his own ſoul and conſcience with S. *Paul*, 1 Cor. 9. 16. *Væ mihi ſi non prædicavero, Woe be to me if I do not Preach.* 1 King. 18. 17.

9. *That an Act be paſſed that that clauſe of the Stat.* 23. *Eliz.* 25. *Eliz.* 1 *Jac. againſt Sectaries, ſhould be repealed, that none may be queſtioned thereby in the vacancy of Parl.* What is this but to pray in aid of Turks, Jews, Anabaptiſts of *Munſter*, nay the Devil himſelf to joyn with them, as they have already joyned with *Owen Roe Oneal*, and his bloody maſſacring Iriſh Papiſts againſt the Proteſtant Religion, which was part of the deſign of the Schiſmatical party in Parliament in waging war againſt the King from the beginning. See *Sect.* 148. the Marginal notes there. This impious Liberty of Conſcience to deſtroy the Proteſtant Religion, is all the liberty we are like to enjoy under the Kingdom of theſe bloody cheating Saints, in all things elſe we are meer and abſolute ſlaves.

10. *That an Act for a General Pardon be paſſed to all Perſons except ſuch as are particularly named therein, and declaring no Pardon to any that ſhall for the future raiſe War in this Nation againſt the preſent Authority thereof.* This is a project, 1. *To pardon themſelves and their Party* for their tranſcendent villanies, and to ſtop the mouthes of the Country from complaining of them after their

their Adjournment, and this shall be effectually done. 2. *To befool silly weak-spirited people with general words of a Pardon* which shall be made ineffectual by many exceptions and limitations. 3. *This is principally intended to fright men from attempting any thing against the usurped Supremacy and Tyranny of the Councel of State:* and therefore all Pardons to such Attemptors are beforehand declared against. This with them is (as a sin against the Holy Ghost) unpardonable; to deny their Supreme, Arbitrary Authority.

11. *That the Act for relief of poor Prisoners for Debt may be passed.* Though I can with as much Charity as any man wish a relief to them, yet *I like not that Charity should be made a cloak to ambitious Knavery*; and all the Creditors of the Kingdome be made liable to the vexation of a covetous Committee, who, *under colour of Charity shall raise up all the indebted men of the Kingdome against all the monied men, if they will not sacrifice their purses to the Foh-Gods of the new State, and be bountiful to the Committee*; which is the full scope of this Proposition.

12. *That the Souldiers may be secured their Arrears out of the late Kings Lands.* This is to tye all the Souldiery by the purse-strings (which is Saints Tenure) to make good that horrid, trayterous Murther.

13. *That an Act be passed for Probate of Wills, Granting Administrations, and investing of Ministers presented.* These lunatick Saints should have thought upon a new way to be set up before they throw down the old one, and not have left men in an uncertainty how to dispose of their Estates, and a *Justitium*, a vacancy of Justice upon the Kingdom: you see what Mountebanks our new State-Juglers are. The good Boyes began to learn their Lessons upon Monday, 25. *June.*

190. Things undertaken by the Councel of State during the Recess.

The Councel of State likewise reported to their said Free-school of Commons *several things which they* (in order to their future greatness) *would put into a way during the Recess*; against the Houses next meeting, when two Sundays come together.

1. *That Commissioners be appointed in every County to make an estimate of all Tythes*, to the end they may be taken away for the future, and some other provision designed for Ministers. *This is a Whip and a Bell to lash Ministers to preach State-Divinity.*

2. *That*

2. *That the Council of State consider of setling future Parliaments, and the constant time of their calling, sitting, and ending, after this Parliament shal think fit to dissolve themselves.* If they are not dissolved already (which is the constant opinion of many great learned Lawyers well-affected to the Parl.) they will never be dissolved without the help of a hangman. But I would gladly know by what Authority a Pack of forty Knaves calling themselves *a Council of State*, and usurping Regal power, shall take upon them to abolish our antient form of Parliaments, contrary to the fundamental Laws of the Land, their own Declarations, protestations and Covenants, and to pack and shuffle new Parliaments, to dispose of our Religion, Laws, Liberties, Lives and Estates, against the consent of the far major part of the people.

3. *That they shall consider of an Act for regulating proceedings in Law, and prevent tediousnes of Suits.* There are too many Lawyers in the Council of State to do any thing effectual that way; but it may be they will consider how to make the Laws of the Land more sutable to an Olygarchical tyranny, and less agreeing with Monarchy.

4. *That they will consider what Laws are fit to be repealed.* That is, all Laws enjoyning uniformity in Gods worship, all Monarchical Laws, and all Laws allowing more civil Liberty and Priviledges to the People, and to several Degrees of men than squares with the Designs of our new upstart State.

191. Dean and Chapters Lands purchased by the Godly.

So many men have been cheated with publick Faith, Irish Adventures, and Bishops Lands, that the Market is spoiled for sale of Dean and Chapters Lands, wherefore the Saints (being the only monied men left in the Kingdome) have now agreed to buy them themselves, considering that since they hold their Heads and all that they have *in Capite* of their Lords Paramount, *the Council of Officers* they may as well buy dog-cheap, and hold Deans Lands by the same Tenure. For which purpose they have their Broakers abroad to buy in Souldiers and Officers Debentures for Arrears at 5s. and 6s. in the pound, though they are allowed the whole summ of the Debentures in the purchase, which doubling in ready money, they purchase upon such easy particulars, as brings it down from ten years purchase, to two or three years purchase. They are not seen in the business themselves

ſelves, but buy them in other mens names, and to the ſecret uſe of their Wives and Children. The Lord *Munſon*, *Humphrey Edwards*, and Sir *Greg. Norton*, (who hath ſold his own Land to purchaſe new upon this Title) and many other Saints have lately trod this obſcure path.

192. Souldiers inſolencies remedileſs.

Great Complaints are made by the Country of the Souldiers inſolency (amongſt many other things) in putting their Horſes into mowing Graſſe. The General hath ordered the next Officer in chief to cauſe double damages to be given by the Souldier; and if the ſaid Officer neglect, he is to anſwer it at a Council of War at the Head Quarters. This remedy is worſe than the diſeaſe, and as meer a gullery as the Act for taking off Free quarter. The chief Officer will laugh at the Complainant, the Head Quarters are far off, and the Council of War will tire him with delays, and expoſe him to more injuries of the angry Souldiers. The Officers will not, nor dare not keep a ſtrict diſcipline.

193. The Earl of *Denbigh* and *Henry Martin* referred to Committees.

The Earl of *Denbigh* referred to the Committee of the Revenue to conſider the Arrears of his Embaſſie in *Italy*, and of his 1000. Marks *per ann.* penſion beſtowed upon him by the late King. If his deſerts had been better, his Reward had been worſe, and worſe paid. Alſo *Henry Martins* Loſſes and Arrears referred to the conſideration of a Committee. If the Committee would know what *Harry* hath loſt, they muſt examine his Barber-Surgeon. *Rowland Wilſons* Arrears and Loſſes, and the L. *Gray's* Charges and Arrears to be conſidered and reported: you ſee charity begins at home, and the Members exerciſe it (for the moſt part) in their own Houſe.

194. The Council of State authorized to grant Letters of Marque.

June 25 An Act paſſed *to enable the Council of State with abſolute power to grant ſpecial and particular Letters of Marque or Repriſal in the name of the Keepers of the Liberties of* England *by Authority of Parliament*: what is this but to empower the Council of State to make war at Sea with all Princes and States at their diſcretion? they have already ſo far decayed all the Trade of this Nation, that ere long Traffick will be totally deſtroyed; whereby our Seamen with their Ships will be neceſſitated (for want of employment) to revolt to the *PRINCE*; to prevent which inconvenience, they will find work for them by granting

ſo

so many particular Letters of Marque to all such as shall but pretend themselves wronged by Forraign Nations as will amount to a General practise and profession of Pyracy and turn *England* into a second *Argires*, whereby all Princes and States will be provoked to make a Pyratical War upon *England*, as against a Den of Thieves and Robbers, Common Enemies to Traffick and humane Society: as the *Romans* did under the Conduct of *Pompey*, against the *Cilician*, and other Asiatick Pyrats.

195. Cap. *Young's* blowing up the *Antilope* in *Helversluce* with a Caution.

Captain *Younge* hath blown up with Gun-powder a Ship of the Princes called the *Antilope*, lying at Anchor in *Helversluce* under the Protection of the States of *Holland*; whereby the Chamber of *Holland*, and the honor of their Inland Sea is ravished from them. By this, and by some former actions of the like insolency (as the firing upon their Ships, and killing their men for not striking sail to them) you may see what good Neighbourhood the *Dutch* are like to have of their younger brother State, when they are once setled and confirmed in their yet infant Government: even the very same which the *Carthaginians* found after the new erected Common-wealth of *Rome* grew up to maturity, which proved so dangerous a Competitor in point of power, profit, and honour, as buried the more antient Free-State of *Carthage* in its Ruines. *Free-states (especially Aristocracies) are very quarelsome with their Neighbours, and never want many of their Patritian most potent Families ambitious to increase their own power and glory by Wars:* and therefore seek occasions of quarrel with their Neighbours; such was the whole Family of the *Barchines* at *Carthage*, the *Scipio's*, *Fabii*, *Camilli*, *Crassi*, *Pompeii*, *Cæsares*, and many more at *Rome*: Thus was *Greece* torn in pieces by its Free-states.

196. More Gifts to the Godly.

The Commons have bestowed St. *Crosses* Hospital upon *Cooke* for acting the part of an Attorney General against the late King. It is fit every *Judas* should have his Reward; the New Park in *Surrey* bestowed upon the City in reward of their Thanksgiving Dinner, that the new-packed Court of Aldermen and Common-council may not want Venyson to fill their Wives Bellies, nor they Brow Antlers to hang their Hats on.

197. Order 9. *June* 1649. referring all secured and secluded Members to be examined before a Committee.

The 9. *June* the Commons (about 46 in number) had passed an Order concerning their secured, secluded, and absented Members, and referred all such as had not already entred their dissent to the Vote, 5. *Decem.* 1648. to a Committee to give such satisfaction to them as the House should approve of before the 30. of *June* instant, or else the House would take order for New Elections. This was to bring the said Members (300 in number at least) to the winnowing, that they might admit such as were for their turn to recruit their thin House, and expel the rest: few repaired to them, and of those very few were chosen, the Speakers Son, Sir *John Treavour* (who hath a Monopoly of 1500l. *per annum*, out of *Newcastle* Coles, for which he was many Months kept out of the House, and at last admitted (onely to comply with the Faction) and his said Monopoly continued) Sir *Henry Haymonde*, and two Sons of the Earl of *Pembroke*, were received. This was thought very unreasonable that so many Gentlemen either kept out, or driven away by force should, by a far less number sitting and acting under the same force, be sent to attend a Committee, to stand with their Hats off to *Holland*, *Scot*, *&c.* and be examined and expelled for giving their Votes (Yea, or No) in the House according to their consciences. This was to subvert the Liberty of all Parliaments for the future, and to make this House (which calls it self a *Parliament*) a meer packed *Junto* to carry on forelaid Designs. Besides, to expect they should approve all that the sitting Party in the House had done in the absence of these non-sitting Members, who neither heard the Debate, nor reasons, whereupon they grounded their Votes against the *King* and House of Peers, nor for the abolishing Monarchy, and turning it into a Free-state, erecting a Council of State for that purpose, voting the Supreme Authority to be in themselves, and many other matters of the like high nature, which have no place in the Laws of *England*, was such an imposition as neither agreed with the known Parliament Priviledges, Liberty of Conscience, so loudly professed by these sanctified Members which sit) nor with humane reason and sense. And at last to sit under those Armed Guards that put a force upon them (the 6. *Decem.*) before; promised as little of safety, unless they would renounce their own Consciences and Act the

the wills of their Janisaries and their Party; and would render them contemptible to all the world, especially to those men who put this insolency upon them.

I formerly told you how unwilling the Members were to adjourn and resign their more than Kingly Power to the Councel of State; wherefore *Cromwel* finding he could not obtain that of them by a Vote, projected another way to work his Design, not the old way of a violent purge by securing and secluding the Members with his Myrmidons, that is already infamous, and would savour too grosly of the Power of the Sword; and would shew *Oliver* to be rather a Quack-salving Doctor of Physick than a Doctor of the Civil Law. He caused the Officers therefore to frame certain Articles of Impeachment against Mr. *Lenthal* their Speaker, as followeth: 168. Articles of Impeachment against the Speaker.

Note that *Oliver*, before he left the Town, erected a Committee of Officers of the Army to prosecute and bring to punishment grand Delinquents. This is a new kinde of Star-Chamber of Military Nobles, held like a Rod over the Mock-Parliament. Councel of State, and the General, in case they shall oppose *Olivers* Designs.

1. *For releasing out of* New-gate *three of the Queens Priests and Jesuits by his Warrant.*

2. *For maintaining and protecting several Spies and Agents for the late King within the Line of Communication during the late War.*

3. *For conveying divers remarkable prisoners of War out of the Line of Communication unto the late King.*

4. *For assisting and protecting several Plotters on the behalf of the late King, to destroy the City of* London.

5. *For suffering above* 30000 *l. to be conveyed to the late King out of the Line of Communication, wittingly and willingly.*

6. *For sending Horses of War, with Men and Arms to the late King.*

7. *For holding an intercourse of Letters with the late King.*

8. *For maintaining and keeping an Agent in the Garrison of* Oxford, *for expediting the foregoing Treacheries.*

9. *For corrupting many Members of the Parliament, some lately excluded, and some now sitting in the House to conceal and smother the foregoing Treacheries.*

10. *For endeavouring to take away the Lives of several the Prosecutors and Witnesses unto the foregoing Treacheries.*

You see there is not one word in them of Cozening the Common-wealth (which is now become the Private wealth of every particular Saint) because this would have broken universally the whole communion of Saints, and would have set them all together by the ears, to defend themselves by recriminating one another: The device was, by taking off the Speaker to Dissolve them, since they cannot by the Priviledges of the House chuse themselves a new Speaker without the consent of a Power higher than their own (to wit) the *Kings*, and though they will be so much Masters of their own Priviledges, as to coyn new every day upon emergent occasions, yet those irregularities are alwayes done under the power and protection of the Sword, which they could not expect against their own Visier Basha *Oliver*. This trick being smelt out, was so highly resented, that it perished in the birth; only (I hear) the Speaker bled in private 15000 l. towards *Olivers* expedition.

199. 150000l. Advance mony for *Cromwels* Expedition.

All the sinks of tyranny and oppression about the Town, the Committee of the Revenue, Goldsmiths-hall, Haberdashers-hall, the Excise Office, &c. are all emptied into that Common Sewer *Olivers* expedition into *Ireland* (or rather *Scotland*) or engaged as a security to furnish him with 150000 *l.* part whereof only he is accountable for; the residue is left to his discretion and conscience to buy Towns and Victories with, and to be offered upon an Altar to be erected *Deo ignoto*.

At *Olivers* request, the House admitted Sir *Edward Ford* to compound upon the Articles of *Oxon*, notwithstanding his lapse of time; *Ford* married *Iretons* Sister, and the Lord *Culpeppers* Son

Son married *Fords* Daughter. Observe how the General is lessened to advance *Cromwel*. 1. The Command of the Irish Forces taken from him, and *Cromwel* sent with a Higher power than ever any went with into that Nation. 2. All Souldiers that will, are enabled to leave their Regiments, and List under *Cromwel*; so that the discontented and levelling party only are left under the command of *Fairfax*.

200. More Gifts to the Godly.

Col. *Martins* Accounts brought into the House, 3. *July*, 1649. his Arrears came to 25000 l. and 1000 l. *per ann.* Land ordered to be setled upon him and his Heirs. The Lord *Gray* of *Grooby's* Arrears for the last Summer only against Duke *Hamilton*, 1500 l. These things considered, I cannot wonder at the Petition presented to the General by Captain *Jubbs*, in the name of Col. *Husons* Regiment about *July* 6. wherein (amongst other things) they complain, *That the House do weekly bestow* 1000 l. per an. *upon themselves out of the publick Treasury of the Nation, when as the Souldiers wants are great, and all the people are in great necessity.*

The *Moderate* from *July* 3, to *July* 10. 1649.

201. Endeavors to lessen the General.

As if the dividing of the Army, and putting the most confiding men under *Cromwel*, the taking the whole command of *Ireland* from the General, and conferring it upon *Cromwel*, the drawing dry all Treasuries of Money to furnish *Cromwel*, and leaving no Money to content the Generals remaining part of the Army, the turning the *odium* of seizing and secluding the Members, and murdering the *KING*, upon the General, were not sufficient diminutions of the General, and augmentations of his Lievtenant General: The Welsh Counties are set on work to desire *Harry Martin* for their Commander in Chief; and the Western Garrisons (the most considerable of *England*) are to be taken from the General, and put into the hands of *Cromwel* and his Party, for his retreat from *Ireland*; so that if all this do not inable him to ruine the General, it will (at least) inable him to divide the Army, and cantonize the Kingdome, and turn the General into the dangers and troubles of the starving, forlorn, North Counties bordering upon *Scotland*. And if *Cromwel* finde *Ireland* too hard a bone for him (it is thought) he will endeavour to surprize the *Isle of Man*, and from thence infest *Scotland* and *Ireland*.

About

202. *An Inquisition for blood*, an ingenious piece newly come to light

About the 18. *July*, 1649. was presented to the world an ingenious piece, entituled [*An Inquisition for Blood*] to the Parliament, *in statu quo nunc*. And, to the Army, *Regnante*; wherein the Author proves, *That the* KING *did not take the guilt of blood Himself by granting Preambulatory Proposition in the late Treaty* in the *Isle of Wight*, in these words (*viz.*) *That he acknowledged that the two Houses of Parliament were necessitated to undertake a War in their own just and lawful Defence, &c. And that therefore all Oaths, Declarations, or other publick Instruments against the two Houses of Parliament, or any for adhering to them, &c. be Declared null, suppressed and forbidden.*

1. His Majesty in yielding to this Grant, had reference to two ends: 1. To prepare the way to peace, which without this had been hopeless. 2. To secure and indempnifie the two Houses, with all their Adherents, and rid them from those despairing fears and jealousies which made them adversaries to Peace.

2. For the words of the Preamble, they were not of His penning, He was not Author of them, but an Assentor to them; nor was He, or his Party accused, or so much as mentioned in them.

3. He made this Concession *sub stricta novacula*, when the Razor was (as it were) at his throat: 1. An Army of 30000 Horse and Foot effective against him. 2. When He was endangered and tired out with a long and close Imprisonment. 3. When many dangerous and menacing Petitions against His life, had been encouraged and entertained; so that the King may seem to have been necessitated to yield to this Grant for His own just and lawful defence.

4. His Majesty passed this Concession with these two Provisoes: 1. That it should be of no validity until the whole Treaty were intirely consummated. 2. That He might, when he pleased enlarge and clear the truth with the reservedness of his meaning herein with publick Declarations. Now the Treaty being powerfully carried on without Debate, or receiving any Proposition from the King, as was capitulated (and reciprocal Proposals are of the Essence of all Treaties) this Grant could never bind Him.

5. This Grant was a meer Preambulatory Proposition not of the

the essence of the Treaty. Philosophers and Scool-men tell us, No valid proof can be drawn out of Proems and Introductions, but out of the body of the text. So in the Laws of *England*, and in all Accusations and Charges, Prefaces and preambles are not pleadable. They are the last in penning of Laws, least in account, nor never had the force of Laws.

Proems to Lawes are condemned by many Lawyers and Polititians. *est nihil frigidius Lege cum Prologo, jubeo lex, non suadet* 6.

There's not a syllable in this preface which repeals any former Law inflicting a Penalty upon such Subjects as bear or raise Arms against their *KING*: nor those Laws which (*è contrario*) exempts from punishment all Subjects adhering to the Person of the *KING* in any Cause or Quarrel.

Whereas the said Preface saith, the two Houses *were necessitated to make a War, &c.* This may relate to a necessity *à parte post*, not *à parte ante*, self-defence is the universal Law of nature, extending to all Creatures: it is, *non scripta sed nata Lex*. Therefore when the two Houses (or rather a schismatical Party in them) had brought upon themselves a necessity of self-defence, His Majesty was content to acknowledge that necessity. If one man assault another upon the High-way and the Assailed furiously pursue the Assailant, putting him to the defensive part; the Assailant is now necessitated to fight in his own defense, although he drew that necessity upon himself, yet is he now excusable *à posteriori*, not *à priori*. And as Civilians say of clandestine Marriges, *Quod fieri non debuit, factum valet*; for *multa sunt quæ non nisi peccata approbantur*. 7.

By raising tumults, &c.

Lewis the 13. of *France*, had many Civil Wars with his own Subjects amongst other treaties to compose them, upon the Treaty of *Lodun* he was enforced to publish an Edict, approving of all that had been done by his Opposites as done for his service. The like extenuations are not unusual at the close of Civil Wars; and the only use made of them was never other than to make the adverse Party more capable of pardon, to secure them against the brunt of the Laws, to salve their credits, and pave the way for an Act of Oblivion, and restore a setled peace; Peace and War, like Water and Ice, being apt to beget one another. But never was use made of such grants to ruin the King that granted them or his Party.

Thus having confuted that misprision, *That the King by granting*

ing that Introductory Proposition, had taken all the Blood upon His score: my Author having cleared his way to his farther Inquisition after Blood, proceeds and tells you, *Blew Cap was the first that opened the Issue of Blood by entring* England, *and shewing Subjects the way of Representing Petitions to the King upon their Pikes points: That the Irish took their rise from him.* And whereas occasion was taken to calumniate his Majesty *for having a foreknowledge thereof* (amongst many other convincing Arguments to clear him) my Lord *Macguire* upon the Ladder, and another upon the Scaffold, did freely and clearly acquit him. And (in regard great use was made of the Irish Rebellion to imbitter the People against the King) the Author winds up the causes thereof upon one bottom. Telling you,

1. They who complied with the Scots in their first and second Insurrection.

2. They who dismissed the Irish Commissioners (sent to present some grievances to the Parliament) with a short, unpolitick harsh Answer.

3. They who took off *Straffords* Head (the only Obstructor of that Rebellion) and afterwards retarded the Earl of *Leicesters* going into *Ireland*.

4. They who hindred part of the disbanded Army of 8000 Men, raised by the Earl of *Strafford*, being Souldiers of Fortune, to go serve the Spaniard, as his Majesty had promised the two Spanish Ambassadors, the Marquesses of *Velada* and *Maluezzi*: which cashiered discontented men first put fire to the Tumult. They who did all this, are guilty of the Irish Rebellion, and of the blood of above 100000 Protestants who perished in that War. Add, They who importuned the King (contrary to his judgement) to make the Irish desperate by passing an Act *to confiscate their Estates, and grant them away to such as should advance Monies upon Irish Adventures.*

Touching the War kindled in *England*, the Author confesseth it was a fatal thing there should be a withdrawing of the Kings Person from the Parliament. But averreth it was a barbarous thing that the King with above four parts in five of the Lords, and two parts in three of the Commons, should be frighted away by Tumults raised by *Pen* and *Bourges*, and a Design

ſign to ſeize the Kings Perſon; yet it is fit it ſhould be remembred.

1. *What reiterated Meſſages his Majeſty ſent*, offering to return, if there might be a courſe taken to ſecure his Perſon, with thoſe Peers and Commons rioted away.

2. *That there was not the leaſt motion towards War, until* Hotham *ſhut the Gates of* Hull *againſt the King*, attended onely with ſome few of his houſhold ſervants; which Act of his was approved of afterwards by the Houſe of Commons Vote, as if he had done it by their Warrant.

3. *That a while after, there was an Army of* 16000 *men effective inrolled about London*, to fetch Him to His Parliament, and remove ill Counſellors, under the Earl of *Eſſex*, long before the King began to ſet up His Standard.

4. That the ſame Army ſo raiſed, to bring the King to His Parliament, was continued two years after to keep Him from His Parliament.

5. *Who interdicted Trade firſt, and brought in Forreign Force to help them? and whoſe Commiſſions of War were near upon two years date before the Kings.*

6. That in all His Declarations, He alwayes proteſted, He waged not War againſt the Parliament, but againſt ſome Seditious Members, againſt whom He could not obtain Common Juſtice.

7. *That upon all good Succeſſes, the King ſtill courted the Parliament and City to an Accommodation.*

8. That upon the Treaty of *Uxbridge*, *The King moved*, that (*to prepare mens mindes to Peace*) *there might be freedome of Trade* from Town to Town: *A ceſſation of all Acts of Hoſtility* for the time, that the inflamation being allayed, the wound might be cured the ſooner.

9. *That this preſent Army remember how often in their Propoſals and Declarations they proteſted, That their aim was, to reſtore His Majeſty with Honour, Freedome, and Safety*, whereunto they were formerly bound by their Proteſtation and Covenant; and that *the two Commanders in Chief pawn'd their Souls to Him thereupon.*

10. That to ſettle Peace, the King did in effect (by His Conceſſions)

ceſſions) *part with His Sword, Scepter, and Crown, and every thing that was perſonal to Him.*

11. With what admired Temper, Prudence, Conſtancy, He comported Himſelf in His Afflictions; and how many of His engaged Enemies became His Converts thereby, ſpeaking Panegyricks in His praiſe.

12. That though there be ſome precedents in our Hiſtories for Depoſing Kings in point of Competition for the Crown; yet it is unexampled, That a King of *England*, of an undoubted Title, ſhould be Summoned, Arraigned, Tried, Condemned, and Executed at His own Door, by His own Subjects, and by *the Name of their King, to whom they had ſworn Allegiance; Contrary to the whole Current of the Law*, which ſaith, *The King can do no wrong*, *The Crown takes away all defects*: Wherefore it was adjudged ſuperfluous to take off Attainders, under which *Hen.* 7. and Queen *Elix.* lay, becauſe the Crown wiped off all Blots. *Rex non habet Parem in ſuis Dominiis nec Superiorem, ſavis habet Rex ad pœnam, quod Deum expectat ultorem.* If therefore by the *Laws of the Land, all men muſt be Tried by their Peers, and the King have no Peer*, what power had theſe Men to Arraign their King? to be *both His engaged Enemies, Accuſors, and Judges; and to Erect an unpreſidented Tribunal, without the leaſt Foundation in Law*, with *power*, and *purpoſe to condemn* all that came before it; and that *Sentence of Death ſhould paſs without conviction, or Law, againſt the Head, and Protector of our Laws, and Fountain of Juſtice and Mercy.*

13. That they who (by their own Confeſſion) *repreſent but the Common People*, ſhould aſſume power to cut him off, *who immediately repreſented God.*

203. About the ſame time Mr. *William Pryn* Aſſigned his Reaſons, why he could neither in *Conſcience, Law, nor Prudence, voluntarily ſubmit to pay the Arbitrary illegal Tax of* 90000 l. *a Month, impoſed upon the People, by a pretended Act of the Commons, bearing date* 7. April 1649. *towards the maintenance of Forces to be continued in* England *and* Ireland.

Mr. *Pryns* excellent Book entituled [*A legal Vindication of the Liberties of* England] illegal Taxes, and pretended Acts of Parliament abridged in part, but the whole commended to be ſeriouſly read by all men.

Becauſe

Because by the *Fundamental Laws*, and *known Statutes* of this Land, *No Tax, &c. ought to be imposed, or Leavied, but by the Will and common Assent of the Earls, Barons, Knights, Burgesses, Commons, and whole Realm in a Free and full Parliament.* See *Magna Charta*, 29, 30. Stat. 25 *Edw.* 1. chap. 5, 6. 34 *Edw.* 1. *De Tallagio non concedendo*, c. 1. 21 *Edw.* 3. Rot. Parl. nu. 16. 25 *Edw.* 3. c. 8. 36 *Ed.* 3. Rot. Parl. nu. 26. 45 *Ed.* 3. Rot. Parl. nu. 42. 11 *Hen.* 4. Rot. Parl. nu. 10. 1 *Rich.* 3. c. 2. *The Petition of Right, and Resolutions of both Houses against Loans*, 3 Car. *The Votes and Acts against Shipmoney, Knighthood, Tonnage and Poundage*, and the Star-chamber this Parliament, 17, 18. Car. agreed to by Mr. *William Hackwel*, in his Argument against impositions. Judge *Hutton* and *Crook* in their Arguments; Mr. *Saint Johns in his Argument and Speech against Ship-money*, with other Arguments and discourses upon that subject. Sir *Ed. Cook* in his 2 Instit. pag. 59, 60. 527, 528, 529, 532, 533. But this Assessment was not so legally imposed, *Ergo*, I, nor no man else ought to pay it. 1. *This Tax was not imposed by any Parliament*; *The late Parliament being actually dissolved above two months before this pretended Act was passed for imposing it, by the Murder of the King*, as is resolved by the Parliament. 1 *Hen.* 4. Rot. Parl. nu. 1. 4 *Hen.* 4. and 1 *Hen.* 5. Rot. Parl. nu. 26. *Cooks* 4. Institutes, p. 46. 4 *Edw.* 4. 44. 6. *For the King being both the Begining, End, and Foundation of Parliaments* (according to *Modus tenendi Parliamentum*, and Sir *Edw. Cook* 4. Instit. p. 3.) which are *Summoned and Constituted only by his Writ, the Writ is actually abated by his Death.* 1 *Edw.* 6. c. 7. *Cooks* 7. Rep. 30, 31. *Dyer* 165. 4 *Ed.* 4. 43, 44. 1 *Ed.* 5. 1 *Brook* Comission, 19. 21.

It appears by the Writs of Summons to the Lords (*Crompt.* Jurisdiction of Courts, fol. 1 *Cooks* 4. Instit. p. 9. 10.) *and of Elections and leavying their Wages*: That the Parliament was only *Parliamentum nostrum*, the Parliament of the Kings that is Dead, *Parliamentum Nostrum ad tractandum nobiscum super arduis negotiis Regni nostri*, can be continued one and the same Parliament after the Kings death that called it; and the Monarchy changed into a Commonwealth? formally it cannot be the same, the Head thereof being gone. The Lords House and Monarchy being abolished, and the State not the same; Materially it cannot be the same, so many of the ancient Members being thrown out, and new ones unduly elected brought in. But there are some pragmatical Taylors in the House, who can make a garment fit for all states of the Moon, and a Parliament fit for all changes of the State.

Quare, How a Parliament summoned by the Writ of K. *Charles* I. and called

not of His Heirs and Successors, They are all Summoned to come to *his Parliament to advise with him* (*nobiscum*, not with his Heirs and Successors) of great and weighty Affairs concerning, *Nos & Regnum nostrum*, Him and his Kingdom, 5 *Edw.*3.6.part 2.*Dors. Claus.* Regist. fol.192,200. So the *King being dead, and his Writ and Authority by which they were Summoned, and the end for which they were called: Ad Tractandum ibidem nobiscum, super arduis negotiis nos & statum Regni nostri tangentibus*, being thereby absolutely determined without any hope of Revival: *The Parliament is determined thereby, especially as those who have Dis-inherited his Heirs and Successors, and Voted down Monarchy it self, and the Remnant now sitting are no longer Members of Parliament, as all Judges, Justices of the Peace, Sheriffs, made onely by the Kings Writ or Commission*, and not by *Patent*, Cease and become void by the Kings death, for this very reason, because they are constituted, *Justitiarios & Vicecomites nostros ad pacem nostram, &c. custodiendum.* The King being dead, his Writs and Commissions expire with him. 4 *Ed.*4.43.44.*Brook* Office and Officer 25. Commission, 19.21.*Dyer.* 195.*Cook* 7.Rep. 30,31 1 *Ed.*6.c.7. *Daltons* Justice of Peace, chap.3.pag.13.*Lambert*, pag.61.

Object. If any object the Act of continuance of the Parliament, 17 *Car. That this present Parliament shall not be dissolved unlesse it be by Act of Parliament for that purpose.*

Answ. It is answered, *That it is a Maxim in Law, That every Statute ought to be expounded according to the intent of those that made it, and the mischiefs it intended only to prevent.* 4 *Edw.* 4. 12. 12 *Edw.* 4.18.1 *Hen.* 7. 12, 13. *Plowdens* Comment. fol. 369. *Cooks* 4.Institutes pag 329, 330. *Now the intent of the Makers of this Act, was not to prevent the Parliaments dissolution by the Kings Death (in wayes intimated in any clause thereof, although it be a clear dissolution of it to all intents, not provided for by this Act) but by any Writ or Proclamation of the Kings by his Regal power*, without the consent of both Houses, which I shall prove by the Arguments following.

1. *From the principal occasion of making the said Act.* The Commons in their *Remonstrance*, 15. *Decemb.* 1642. complain, That the King had dissolved all former Parliaments against approbation of both Houses of Parliament; *Wherefore to prevent the*

the dissolution, Prorogation, or Adjournment of this present Parl. by the Kings Regal Power after the Scots *Army should be disbanded, and before the things mentioned in the Preamble could be effected. was the ground and occasion of this Law*: and not any fear of Dissolving the Parliament by the Kings death, Natural, or Violent, which is confessed by the Commons in the said Remonstrance, *Exact Collect.* pag. 5, 6. 14, 17. compared together, where they Affirm, the abrupt dissolution of this Parliament is prevented by another Bill, &c. In the Bill for continuance of this Parliament, *there seems to be some restraint of the Royal power in Dissolving of Parliaments; not to take it out of the Crown, but to suspend the execution of it for this time*, and occasion only, which was so necessary for the Kings own security, and the publick peace, that without it we could not have undertaken any of those great Charges, but must have left both Armies to disorder and confusion, &c.

2. *The very Title of this Act* [*an Act to prevent inconveniencies which may happen by the untimely Adjourning, Proroguing, or Dissolution of this present Parliament*] *intimates as much, compared with the body of it, which provides as well against the Adjourning, or Proroguing without an Act, as against a Dissolution. Now the Parliament cannot be said to be Adjourned, or Prorogued untimely by the Kings death* (*which never Adjourned, or Prorogued any Parliament*) *but only by his Proclamation, Writ, or Royal Command to the Houses, or their Speaker executed during his Life-time*, See Parl. Rolls, 6 *Edw.* 3. 2. Rot. Parl. 3. 5. 5 *Ric.* 2. n. 64, 65. 11 *Ric.* 2. nu. 14, 16, 20. 8 *Hen.* 4. nu. 2, 7. 27 *Hen.* 6. nu. 12. 28 *Hen.* 6. nu. 8, 9, 11. 29 *Hen.* 6. nu. 10, 11. 31 *Hen.* 6. nu. 22, 30, 49. and *Cooks* 4. Instit. p. 25. *Dyer fol.* 203.

3. *The Prologue of the Act implies as much, whereas great sums of Money must of necessity be speedily advanced* for relief of His Majesties Army (not His Heire, or Successor) and for supplying other his Majesties (not his Heires, nor Successors) occasions, which cannot be so timely effected as is requisite, without credit for raising the said Moneys; which credit cannot be attained until such Obstacles be first removed, as are occasioned by Fears and Jealousies; *That this Parliament may be Adjourned, Prorogued, or Dissolved, before Justice shall be duly executed*

cuted upon Delinquents (then in being, as *Strafford*, *Canterbury*, not since made) *Publick Grievances* (then complained of, as Star-chamber, High Commission, Ship-money, Knighthood-money, Tonnage, and Poundage, &c.) redressed: *Peace concluded* between the two Nations, *sufficient provisions made for repayment* of the said monies (not others since) so to be raised. *All which expressions related onely to his late Majesty, as to his Acts of Royal Power, not to his Heirs and Successors, after his Natural (much less) Violent death*, which was not then thought on, but publickly Detested and Protested against; No man being so hardy as to mention it for fear of the Law, not then subdued by the Sword; And the several Principal Scopes of this Act are fully satisfied long before the late Kings death.

4. *It is clear by the Body of this Act*; And be it declared, &c. That this present parliament, &c. *shall not be dissolved, unless it be by Act of Parliament to be passed for that purpose; nor shall at any time*, or times during this present Parliament, *be Adjourned or Prorogued*, unless it be by Act of Parliament to be passed for that purpose; and that the House of Peers shall not at any time, or times, during this present Parliament, be Adjourned, unless it be by themselves, or by their own order. And in like manner, *That the House of Commons shall not at any time*, or times be Adjourned, &c. as aforesaid. From whence it is undeniable,

1. *That this Act was onely to prevent untimely Dissolving, Proroguing, and Adjourning* of that present Parliament then assembled, and no other, *by Acts of Royall power.*

2. *That the King was the principal Estate and Member*, yea, our Soveraign Lord, the sole declarer, and Enacter of this Law, by Assent of the Lords and Commons.

3. *That neither this Act, nor any other, for Dissolving, Proroguing, or Adjourning this Parl. could be made without the Kings Royal Assent*, which the Lords and Commons in their Remonstrance, 26. *May*, 1642. often acknowledge, together with his Negative Voice to Bills, *exact. Collect.* p. 69. 70. 736. 709. 722.

4. *That it was not the Kings intent in passing this Act, to shut himself out of Parliament*, or create Members of Parliament without a King, as he professeth, Εἰκὼν Βασιλικὴ, c. 5. *Nor the Lords and Commons intent to Dis-member Him from His Parliament*,

ment, and make themselves a Parliament without Him, as their said Remonstrance testifies, and the words of the Act import, *much less was it their intent to pack a Parliament of* forty or fifty *Commons onely, selected by Colonel* Pride, *to Vote according to the Dictates of a Councel of War*, after they had destroyed the King, and House of Peers: *Against which transcendent usurpation this very Act provides, That the House of Peers shall not be so much as Adjourned, or Prorogued, but by themselves, or their own Order.*

5. *Neither did* King, Lords, *and* Commons, *in passing this Act intend, That by Murdering the King, Abolishing the House of Lords, and expelling the power of the Sword eight parts of ten of the Commons, the remaining Faction should constitute themselves, their Heirs and Successours, a perpetual Parliament*, which would Cross and Repeal the Act for a Triennial Parliament made on the same day in Law. *Brook*, Parliament 80. Relation 85. *Dyer* 85.

It is against the nature and essence of a Parl. to be Perpetual, & against the Liberty of the People.

6. *The last Clause of this Act concludes as much. And that all, and every thing, or things whatsoever done, or to be done (to wit, by the King, or his Authority) for the Adjournment, Proroguing, or Dissolving of this Parliament*, contrary to this present Act, shall be utterly void and of none effect. *Now death of the King, and Dissolution of this Parliament thereby, cannot properly be stiled a thing done, or to be done by the King, if by those words (things done, or to be done for the dissolving, &c.) they shall say, they related to the Kings Natural Death.* Natural Death is the Act of God, which the Saints cannot make void; *if they related to His violent Death, it could not then be said a thing done, or to be done for the unlawfulness and injustice of it. This Act passed long before any War or Bloodshed.* The only pretence they have since found out for the Kings murder.

2. If this Parliament were not Dissolved by the Kings Death, *Yet the House of* Peers *(formerly Voted) down by the Commons, gave its consent to the passing this Act.* Entituled, *An Act of the House of Commons*; who, without the concurring Assent of the Lords, and the Kings Royal Assent, have no power to pass any Act, Make, or Declare any Law, or impose any Tax, as appears by the fore-recited Acts; The *Petition of Right*, The *Act* for

for the Triennial Parliament, and this very Act against Dissolving, Proroguing, &c. with all our printed Statutes, Parliament Rolls, and Law-Books. The Commons being so far from claiming the sole Legislative power heretofore, as that they were not Summoned to our Ancient Parliaments (which consisted onely of King, Lords Temporal and Spiritual) until 47 *Hen.*3. nor had they so much as a House of Commons, or Speaker, until the Reign of *Edw.*3. nor never tendred any Acts or Bills to the King, but Petitions onely of Grievances, until long after *Rich.* 2. time. See the printed Prologues to the Stat. 1,4,5,9,10,20, 23,36,37. 50 *Edw.*3. 1 *Ric.*2.1,2,4,5,7,9,11. 13 *Hen.*4.1,2,3,4,8. 9 *Hen.*5.1,2,3,4,6,8,9,10,11,14,15,28,29.39 *Hen.*6.1,4,7,8,12,17. 22 *Edw.*4. 1 *Rich.*3.

3. *But suppose the Commons alone had power to impose Taxes, yet it must be in a full and free House*: whereas, when this Act for 90000l. a month passed, the House was neither Full, nor Free. The major part of the House (who by Law are the House) to wit, eight parts of ten at the least, being Secured or Secluded by Col. *Pride*, and his Souldiers by Confederacy with those forty or fifty then sitting when this Act passed, and passing the Wills of the Councel of Officers, to the subversion of Parliaments, and the great wrong of those Counties and Burroughs for whom they served.

Object. If it be objected, that by usage of Parliament, forty *Members make a House of Commons.*

Answ. 1. I Answer, not to all intents and purposes, *Not to grant Subsidies, nor pass Laws, or matters of greatest moment*, *Modus tenendi Parl. Cooks* 4. Instit. pag.1,2,26,35,36. *Cromptons* Juris. of Courts.fol.1.39. *Edw.* 3.7. *Brook*, Parl.27.1 *Jac.*1.

2. Forty Members make not a House, when the rest are Excluded by force without doors, and fraud of their Fellow-members within doors, on purpose that (being the major number) they may not over-vote them. *The Commons not having power to expel any of their Members, without consent of King and Lords, in whom onely the Judicial Power resides. Paritus in Pares non est Potestas*, Clause. *Dorf.* 7 *Rich.*2. M. 27. *Seldens* Title of Honour, pag. 737. Baron *Camoyes* case discharged by the Kings Writ, and Judgement from serving amongst the Commons, because a Peer

Peer of the Realm: The practise for Members to expel and Sequester their Fellow-Members, being a late dangerous innovation, to pack a Factious Conventicle instead of a Parliament.

If the King should send forth no more Writs than would Summon forty or fifty Commons it were no House.

So Mr. *Pryn* concludes, That if he should voluntarily submit to pay this Tax, by vertue of the said pretended Act of Parliament Dated 7. *of* April, 1649. made by those now sitting (some of whose Elections have been voted void, others of them Elected by new Illegal Writs, under a new kind of Seal, since the Kings Beheading; as the Earl of *Pembroke*, and Lord *Edward Howard*, uncapable of being Knights or Burgesses by the Common Law, because Peers of the Realm, as was adjudged in the Lord *Cannoyes* case, *Clauſ. Dorſ.* 7 *Rich.* 2. M. 32. and asserted by Mr. *Seldens* Titles of Honour. Part. 2. chap. 5. pag. 735. Seconded by *Cooks* 4. Instit. pag. 1, 4, 5, 46, 47, 49.) As he should admit those to be lawful Members, so he should assent to *ex post facto*, some particulars against his Knowledge, and against the Oathes of Allegiance, Supremacy, Protestation, Solemn League and Covenant, taken in the presence of God, with a sincere heart, and real intention to perform the same; and persevere therein all the days of his life, without suffering himself directly, or indirectly, by whatsoever Combination, Perswasion or Terrour to be withdrawn therefrom. As for example, he should thereby acknowledge contrary to his knowledge, and the said Oathes and Covenant. Added by the Abridger.

1. That there may be, and now is, a lawful Parliament of *England*, actually in being, and legally continuing after the Kings Death, consisting only of a few late Members of the Commons House, without either King, Lords, or most of their fellow Members.

2. That this Parliament sitting under a force, (and so unduly Constituted, and paked by power of an Army combining with them) hath just and lawful Authority.

1. To *violate* the Priviledges, Rights, Freedomes, Customes, and *alter the Constitution* of our Parliaments themselves.

2. *To imprison, Seclude, and Expell* most of their fellow

Members (the far major part of the House) for Voting and according to their Consciences (in favor of Peace, and settlement of the Commonwealth.)

3. To *Repeal* all Votes, Ordinances, and Acts of Parliament they please.

4. To *Erect new* Arbitrary Courts of War and Justice.

5. To *Arraign, Condemn,* and *Execute* the King himself, with the Peers and Commons of this Realm, by a new kind of Martial Law, contrary to *Magna Charta,* The *Petition of Right,* 3 *Car.* and the known Laws of the Land.

6. To *Dis-inherit* the Kings Posterity of the Crown.

7. To *Extirpate* Monarchy and the whole House of Peers.

8. To *Change and subvert* the Ancient Government, Seals, Laws, Writs, Legal Proceedings, Courts, and Coyn of the Kingdome.

9. To *Sell and dispose of all* the Lands, Revenues, Jewels, Goods of the Crown, with the Lands of Deanes and Chapters, (for their own advantage, not the easing of the People from Taxes.)

10. To *absolve themselves (by a Papal kind of power) and all the Subjects of England and Ireland* from all the Oaths and Engagements they have made to the Kings Majesty, his Heirs and Successors; yea, from the very Oath of Allegiance, notwithstanding this express Clause in it (fit to be laid to heart by all conscientious Christians) *I do believe, and in conscience am resolved, That neither the Pope, nor any person whatsoever hath power to absolve me of this Oath, or any part thereof, which I acknowledge by good and full Authority to be lawfully Ministred to me, and do renounce all Pardons and Dispensations to the contrary.*

11. To *dispence with our* Protestation and Covenant so Zealously enjoined by both Houses on all sorts of People.

12. To *dispose of* the Forts, Ships, Forces, Offices, and places of Honour, Power, Trust, or Profit, to whom they please (to their own Party.)

13. To *Displace and remove* whom they please from their Offices, Trusts, pensions, Callings and Franchises at their pleasures without any Legal Cause or Trial.

14. To *make what new Acts, Laws, and Reverse what Old* ones

ones they think meet, to inſnare and inthral our Conſciences, Eſtates, Liberties and Lives.

15. To *create new monſtrous Treaſons* never heard of before, *and to declare Real Treaſons againſt the King, Kingdome and Parliament to be no Treaſons*; and Loyalty, Allegiance, due obedience to our known Laws, and a conſcientious obſerving our Oaths of Allegiancy and Supremacy, and the Covenant, to be no leſs than High Treaſon; for which they may take away our Lives, and confiſcate our Eſtates to their new Exchequer. Thereby at once repealing *Magna Charta*, c.29. 5 *Edw.*3.c.6. 25 *Edw.*3.c.4. 28 *Edw.*3.c.3. 37 *Edw.*3.c.18. 42 *Edw.*3.c.3. 25 *Edw.*3.c.2. 11 *Rich.* 2.c.4. 1 *Hen.*4.c.10. 2 *Hen.*4. Rot. Parl. 11. n.60. 1 *Edw.*6.c.12. 1 *M.*c.1. *The Petition of Right*, 3 *Car.* So much commended this Parliament, and laying all our Laws, Liberties, Eſtates and Lives waſte, after they have drawn ſo much Blood and Treaſure from us in defence of them.

16. To *raiſe and keep up what forces by* Land and Sea they pleaſe, and *impoſe what Taxes they pleaſe*, and renew, increaſe, and perpetuate them to ſupport their more than Regal or Parliamentary power.

17. To *pack and ſhuffle themſelves into a Councel of Lords, States General (without any provincial States)* forty Hogens Mogens, with Supream, Regal, and Arbitrary power, in abſence of Parliaments which are Aboliſhed by theſe Uſurpations, as well as Monarchy. This 17 is added by the Abridger.

4. The principal ends propoſed in the pretended Act for impoſing this 90000 l. a months Tax, oblige all men not to pay it. *viz.* The keeping up this Army under the Lord *Fairfax.*

1. *Becauſe this Army by rebelling againſt their Maſters*, the Parliament, and waging War upon them; and by conſpiring with their own party of the ſitting Commons have occaſioned all the Miſchiefs laſt mentioned, to the ruine of King, Parliament, and Kingdome, Religion, Laws, Liberty, and Property; and daily threaten an utter diſſolution, both in their Deeds, and Words: Both Officers and Souldiers Boaſting, *That the whole Kingdome, and all we have is theirs by Conqueſt; That we are but their conquered Slaves and Vaſſals, and they Lords of the Kingdome, That our Lives are at their Mercy and Courteſie; That when they*

have gotten all we have from us by Taxes and Free-quarter, they will ſeize our Lands, and turn Us, and our Families out of Doors, That there is no Law in England *but the Sword* (as *Hugh Peters* the Rebels Apoſtle ſaith) *The preſent power muſt be obeyed* (ſaith parafitical *John Goodwin*) that is the power of the Sword ſtill.

More hath been raiſed by Taxes theſe laſt eight years, than in all the Kings Reigns ſince the Conqueſt and no account given.

2. *No Tax ought to be impoſed but upon neceſſity, for good of the people,* 25 *Edw.* 1. chap. 6. *Cooks* 2. Inſtit. pag. 528. But the keeping up this Army is the Bane of the people.

1. Becauſe they are already exhauſted with War, Plunder, Taxes, Freequarter, &c.

2. Becauſe the Souldiers have decayed Trade, and brought a Dearth upon the Land.

3. This Tax of 90000l. a month deſtroyed Trade, by Foreſtalling and Engroſſing moſt of the Money now left in the Kingdome.

4. There is no Enemy in the Kingdome viſible, nor no fear of any, if we will beleeve our Grandees.

5. When the King had two Armies in the Field, and many Garriſons, this whole Army conſiſted but of 22000 Men, and had an Eſtabliſhed pay but 45000l. a month. See *Ordinances* 15. *Feb.* 1644. and 6. *April* 1646. *Exact Collect.* pag. 599, 876. But when the Army (by confederacy with their party in the Houſe) took the boldneſs to increaſe their number without Order, 60000 l. a month, was thought abundantly ſufficient to pay the Army, and take off Free-quarter: And why this Tax ſhould now be raiſed to 90000 l. a month, when ſundry Regiments of it are Aſſigned for *Ireland*, and yet Free-quarter continued, is a Myſtery of Iniquity which fills the Saints pockets with Money, and all the world with Wonder.

6. The Counties *Militia* (ſo much contended for with the King) would better defend the Kingdome from Forreign Invaſions than a Mercinary Army. Therefore there is neither neceſſity, nor publick utility in keeping up this Army, or raiſing Taxes to maintain them, or pay their pretended Arrears. The Free-quarter they have taken in kinde, and levied in money, will treble their Arrears, and make them much indebted to the Country. Thus far (and much farther) Maſter *Pryn*, whoſe whole

whole Book at large I commend to all mens serious perusal.

204. *Cromwel* sets sail for *Ireland.*

The Marquess of *Ormonds* happy atchievments in *Ireland* beginning to look formidably, had cooled the heat of K. *Olivers* courage (though not of his Liver) insomuch that he and his intimate friends began to project how (without loss of reputation) to take him off from so desperate an Engagement, as (at that time) that seemed to be; unnecessary delays were used in shipping his Men. *Haslerig* and his party reported great terrours from *Scotland*. *Oliver* and his Blood-hounds of the Faction made a shift to smell out a silly Plot in *Dorsetshire* for surprisal of *Weymouth* and *Portland* for the *KING*; now laughed at, and exploded by their own News-books. And the tender-conscienced Brethren were prompted to apprehend their own dangers, and put into a Petitioning posture, *That such a Worthy of* Israel, *such a chosen Instrument of Gods mercy, might not in a time of danger leave the Land of his Nativity, the Habitation of the Saints, to seek forraign adventures in a Heathen Land:* Whilst these preparations were making to withdraw *Olivers* stake, he appeared not openly in them, but making more shew of the Lions skin than the Foxes, had written to Col. *Jones* how heartless his Souldiers were, and that unless *Jones* did by some successful Sally lessen their terrour, he should not be able to get them on Ship-board. This was (like the Monkey) to rake Chesnuts out of the fire with the Cats foot; to take a presage of his own success at Col. *Jones* hazard. *Jones* makes an attempt with better luck than he expected, though not with half so good success as was reported. Saturday, 12. *August*, when the news first came to Town, (the Lion is not so terrible as he is painted) it is a peculiar priviledge of the Saints to lie (without sin, or at least, without imputation of sin) for the good Cause, either *in Re*, or *in modo Rei*, in the matter, or manner; in the thing, or the extent thereof: yet this success was enough to invite *Cromwel* over to pursue the Victory, and partake of the spoils, if not to usurp the whole Honour of the Atchievment to himself, by his accustomed special prerogative. So upon the 16, or 17. of *August*, K. *Nol* set sail towards his new Principality, carrying (contrary to the custome of the Sea) his Lanthorn in his Proawe, not in his Poop; where we will leave him for the present to his adventures.

I have

205. The Association between *O Neale* and C. *Monck*. See the Paper at large.

I have formerly hinted to you the Agreement made between Colonel *Monck* in behalf of the Parliament of *England*, and *Owen Roe Oneale*, the massacring Irish Rebel; I have now occasion to speak more at large of it, and examine the truth of a Paper, called, [*The true state of the Transactions of Col.* George Monck *with* Owen Roe Oneale, *as it was reported to the Parliament by the Councel of State, &c.*] Printed by *Edward Husband*, 15. *August*, 1649. The said Agreement made between the Antimonarchical Independent party in *Ireland*, and the massacring Antimonarchical Popish party under *Owen Roe Oneale* (being a meer conspiracy to root out Monarchy and Protestancy; first, in *Ireland*, and then in *England*; and a second crucifying of Christ in his members between two Thieves, the Schismatick and the Papist) was so generally abhorred by the English Souldiery, that many there took occasion to forsake the English Parliament; and many here disbanded rather than they would accompany *Cromwel* in so wicked an Expedition. Wherefore *Cromwel* writ Letters to his Creatures of the Councel of State by *Monck* himself, complaining how much the miscarriage of that Agreement had retarded his said Voyage; desiring them (for satisfaction of the Souldiery and People) to treat with *Monck* to take the whole business upon himself, and to clear the Councel of State, the Parliament, and *Cromwel* himself, from having any hand at all in it, which upon terms of safety and advantage (he said) he already found him inclinable to do. The better to carry on the scene, this Argument was with much heat of zeal complained of in the Apocryphal House of Commons by a Brother who had his cue beforehand, and by the Junto was referred to the Councel of State as was forelaid, where their High and Mightinesses (after some private conference with *Monck* to accommodate the business) voted their dislike of it; *Bradshaw* reprehending *Monck* in jest therefore. And at last they Ordered, *That the whole business, with* Moncks *Reasons for his justification, should be reported by* Thomas Scot *to the House of Commons*, which was accordingly done. Upon Friday, 10. *August*, *Monck* was called in to the Bar, where (amongst other things) the Speaker asked him, *What Persons be meant in his Letter to the L. Lievtenant of* Ireland; wherein he saith, *He made the Agreement with* O Neale *with the advice of some*

Scot having studied the Politicks in a Brewers Tally, is become a great Statesman in our new *Babel*. See the said Paper, *The true state &c.*

some others? Monck answered, *that he did it upon his own score; without advice of any other person; only having discourse with Colonel* Jones: Jones *told him, if he could keep* Owen Roe *and* Ormond *from joining, it would be a good service.* This Answer (such as it is) was taken for satisfactory in so Comick an Interlude. The next demand was, *Whether he had any Advice or Directions from the Parliament, Council of State, Lord Lieutenant of* Ireland, *or any other person here to do the same?* which he did expresly deny, saying, *he did it upon his own score.* Hereupon the House voted as followeth:

Resolved, &c. That the House doth utterly disapprove of the proceedings of Col. Monck *in the Treaty and Cessation* (as they please to call it) *made between him and* Owen Roe O Neal; *and that this House doth detest the thoughts of any closing with any Party of Popish Rebels there, who have had their hands in shedding English blood. Nevertheless the House being satisfied that what the said Col.* Monck *did therein, was, in his apprehension necessary for the preservation of the Parliament of* Englands *Interest: That the House is content the further consideration thereof, as to him, be laid aside, and shall not at any time hereafter be called in question.* So *exit Monck*, and the Play was done: wherein take notice of these following Observations.

1. The Armies Doctrine and use of apprehended necessity and good intentions to justifie evil actions; approved of by this example of the Parliament (as they will be called.) *See the Answer of the Council of Officers to the Parliaments Demand, concerning their secured Members: And, their Answer thereunto.*

2. This Agreement (though it were at least twelve Weeks ago publickly known in *England*, and divulged in their own Licensed News-bhoks) was never scrupled until now: That 1. the said Agreement was expired. 2. That *O Neal* was so beaten by the Lord *Inchiquine*, that he is (as their own News-books say) inconsiderable, and must suddenly join with the Marqueſse of *Ormond*, or be destroyed.

3. That these *Votes* call this **Agreement* but a *Treaty* and *Cessation of Arms*: which (I affirm) to be a League Defensive and Offensive against *Ormond*, *Inchiquine*, and all that do and shall uphold

* Let me not seem over bold in maintaining a different opinion, since Parliaments are no more infallible than Popes; and all humane opinions are equal, unlesse Reason make the difference. I hope we have not lost our Reason with our Laws and Libetties, nor the exercise and use of it.

uphold Monarchy (if not Proteſtancy too) for theſe Reaſons: 1. Article ſecond ſaith, *That upon all occaſions both Parties be ready with their Forces to aſſiſt one another until a more abſolute Agreement be made and condeſcended unto by the Parliament of* England. This is beyond a Ceſſation. 2. Article third, ſaith, *That the Creaghts of* Ulſter *reſiding within the Quarters of Col.* Monck, *ſhall pay Contribution to General* Owen Oneale. This is a Conceſſion of a great latitude, far beyond the authority of any ſubordinate Commander or General, and againſt the Laws and Liberties of the Land *to grant Taxes.* It ſhould ſeem by this, that *Oneale* and his Army were become Mercenaries, taken into pay by *Monck.* 3. Article fourth, ſaith, *That if General* Owen Oneale *ſhall happen to fight againſt the Forces under the Command of the Marqueſſe of* Ormond, *the Lord* Inchiquine, *or any other Enemies of the Parliament of* England, *and thereby ſpend his Ammunition, if he be near unto my Quarters, and be diſtreſſed for want of Ammunition, I ſhall then furniſh him.* This was actually performed when my Lord *Inchiquine* beſieged *Dundalke.* I make the ſame interpretation of this Article that I have made of the third. 4. The fifth Article alloweth to *Oneale the uſe of any Harbours within Col.* Moncks *liberty*; which likewiſe is too much for a bare Ceſſation or Truce.

4. Who can believe that any ſubordinate Officer Commiſſionated to proſecute a War againſt *Owen Roe* and the reſt in Arms in that Kingdom, ſhould dare to Treat and conclude an Agreement and conjunction with that very Enemy he had Commiſſion to fight againſt without the knowledge and directions (publick or private) of thoſe from or under whom he hath his Authority; and ſhould be ſo bold when he had done to come over and juſtifie his ſaid doings, notwithſtanding they proved unproſperous? Col. *Monck* being ſo much a Souldier as to know, *That* (all the world over) *to exceed the bounds of his Commiſſion* (much more to act againſt his Commiſſion, as in this caſe) *is aſſured death without mercy, both by the Law Martial* (without which Military Diſcipline will periſh) *and by the Laws of our Land.*

5. Wherefore was Sir *John Winter* and Sir *Kenelm Digby* ſent for over (as was foretold by an intercepted Letter, where-

See the ſaid Letter, printed at the latter end of *A Relation of the ſecuring and ſecluding of the Members by the Army.*

of

of I have formerly ſpoken) and *O Realy* the Popes Iriſh Agent, and an other Agent from *Owen Roe O Neal* privately entertained in *England* (as I have formerly hinted) but to drive on Treaties and Aſſociations of this nature? inſomuch that long ſince it was whiſpered amongſt *Cromwels* party in *England* (to uphold their ſpirits) *That upon his ſhewing himſelf in Arms in* Ireland, Ormonds *Catholick Iriſh party would all forſake him and go over to* O Neal, *who maintained the Popes Intereſt in that Kingdom.*

The aforeſaid paper printed by Authority, and ſtyled *The true State of the Tranſactions, &c.* beſides the ſaid *Articles of Ceſſation*, ſetteth down other Articles, called, *Nota.*]

The *Propoſitions* of General *Owen O Neale*, the Lords, Gentry, and Commons of the confederate Catholicks of *ULSTER*: To the moſt High and moſt Honourable, The PARLIAMENT of *ENGLAND*.

1. INprimis, *That ſuch as are already joyned, or ſhall within the ſpace of three Months joyn with General* Owen O Neale, *in the ſervice of the Parliament of* England, *in this Kingdome, as well Clergy, as others, may have all Laws and Penalties againſt their Religion, and its Profeſſors, taken off by Act of Parliament, and that Act to extend to the ſaid parties, their Heirs and Succeſſors for ever, while they Loyally ſerve the Parliament of* England. [*within the ſpace of three Months*] is not in the ſaid Copy printed at *Cork*.

2. *The ſaid General* O Neale *deſireth an Act of Oblivion to be paſſed, to extend to all and every of his party, for all things done ſince the beginning of the Year*, 1641.

3. *They deſire that General* Owen O Neal *be provided with a competent Command in the Army befitting his worth and quality.*

4. *They deſire that they may enjoy all the Lands that were, or ought to be in their, or their Anceſtors poſſeſſion.*

5. *That all incapacity, inability, and diſtruſt hitherto by Act of State, or otherwiſe, againſt the ſaid party, be taken off.*

6. *That on both sides all jealousies, hate, and aversion be laid aside, Unity, Love, and Amity be renewed and practised between both parties.*

7. *That General* Owen O Neale *may be restored and put in possession of his Ancestors Estates, or some Estates equivalent to it in the Counties of* Tyrone, Ardmarch, *or* Londondery, *in regard of his merit, and the good service that he shall perform in the Parliament of* Englands *Service, in the preservation of their Interest in this Kingdome.*

8. *That the Army belonging to General* Owen O Neale, *and his party be provided for, in all points as the rest of the Army shall be.*

9. *That the said party be provided with, and possessed of a convenient Sea-port in the Province of* Ulster.

I do upon receiving a confirmation of these Propositions, forthwith undertake and promise in behalf of my self, and the whole party under my Command: faithfully and firmly to adhere to the State of the Parliament of *England* in this Kingdome, and maintain their Interest hereafter, with the hazard of our lives and fortunes:

In witness whereof, I have hereunto put my Hand and Seal this 8. *day of* May, An. Dom. 1649.

Signed, *Owen O Neale.*

Thus far the said paper, stiled [*The True State, &c.*] goes on with the Relation of the said Treaty and Agreement, but conceals what farther Transactions passed between *Moncke* and *O Neal* upon the last recited Propositions: Wherefore I shall be bold to continue the Story of a paper, entituled [*The Propositions of* Owen Roe O Neal *sent to Col.* Monck, *and a Cer-*

The Story of the farther Transactions between *O Neale* and *Monck* continued and enlarged out of the *Propositions* Printed at *Carlaisen*

ſation for three Months concluded between them. Together with a Letter thereupon ſent by a Gentleman at Dundalk, *to his Friend at* Cork. *Printed at* Cork, 1649.] The laſt recited Propoſitions were ſent to *Monck* 25. day of *April*, 1649. who peruſed them, and made ſome conſiderable Alterations in them, as appears by *Moncks* Letter of Anſwer thereupon to *Owen O Neale*, dated from *Dundalke*, 26. *April* 1649. as I find it in the ſaid paper printed at *Cork* in theſe words:

SIR,

I Have received yours of the 25. April, *and I have ſeen your Order given to Captain* Hugh Mac Patricke Mac Mahon *to Treat and conclude a peace with me in the behalf of your ſelf, and the Forces under your Command. I have peruſed your Propoſitions, and conceiving there are ſome particulars in them which at firſt view the Parliament of* England *may ſcruple to grant, I have made a ſmall alteration in ſome of them, being well aſſured, by it, you will not receive the leaſt diſadvantage, but it will rather prove a means to beget an increaſe of their good opinion towards you and your party; which I believe your reality, fidelity, and action in their Service will ſufficiently merit, and in caſe you approve of them, as I have reviſed and altered them, I deſire you to ſend them to me Signed and Sealed by you, that I may preſent them to the Parliament of* England, *to obtain their favourable Anſwer in return of them: And in the mean time I deſire that according to this incloſed paper, three Months Ceſſation between us to be condeſcended unto, and inviolably kept between our Forces during the ſame time.*

Dundalk, 26. April, 1649.

George Monck.

1. Observations upon *Moncks* letter.

1. Col. *Monck* in his said Letter to *O Neale* 26. *April*, answereth him: 1. *That he had perused his Propositions, and conceiving there are some particulars which at first view the Parliament of* England *may scruple to grant, &c.* A gentle phrase to nourish hopes in *O Neale* even of obtaining all his Demands (if need be) upon debate and deliberation, though not at first view. *That he hath made a small alteration in some of them* (I confess very small) *being well assured he should not receive the least disadvantage by it, &c.* From whom had *Monck* this assurance, unless from those Men by whose Authority and Directions (private or publick) he presumed to Treat with that Enemy he was Commissioned to fight with, and whose Names he doth conceal? *That it* (yielding to *Moncks* amendments) *would rather prove a means to beget an increase of their* (the Parliaments) *good opinion of* Owen Roe O Neal *and his party, &c.* It should seem then the Parliament had entertained a good opinion of *O Neale* and his party before hand; for every thing must have a being, before it can have an increase of being, *In case you approve of them* (the amended Articles) *I desire you to send them to be signed and sealed by you, that I may present them to the Parliament of* England *to obtain their favourable Answer in return of them, &c.* You see all *Monck* did was in reference to the Parliaments ratification; and therefore reason tells us the Parliament was originally privy to the Treaty: It is not likely *Monck* should Treat upon his own head, and abruptly send the result of the Treaty to be confirmed by the Parliament without any warning foregoing to prepare them.

2. Observations upon the Propositions amended. See the said Paper Printed at *Corke*, especially *Moncks* Letter.

O Neale sent his Letter and Propositions to *Monck*, Dated 25. *April*, 1649. *Monck* answered his Letter, and corrected *O Neales* Propositions the day after, being the 26. *April*.

And the last mentioned Propositions of Gen. *Owen O Neal*, *the Lords, Gentry, and Commons of the Confederate Catholiques of Ulster, &c.* as well as the first mentioned Articles *for three Months Cessation, &c.* bear Date 8. *May*, 1649. which I conceive to be the Date given them when they were ratified by the Parliament, or Councel of State. See the said Paper [*The true state of the Transactions, &c.*] Then follows:

A

A ſecond Copie of *Owen Roe Oneales* Propoſitions as they were corrected by Col. *Monck*, and ſent to *Oneale* to be ſubſcribed: And then ſent by *Monck* to the *Parliament* to be granted: as followeth *verbatim*. Paper printed at *Cork*.

1. INprimis. *That ſuch as ſhall joyn with General* O Neal *in the Service of the Parliament of* England *in this Kingdom; may have Liberty of Conſcience for themſelves and their iſſue.*

2. *The ſaid General* O Neale *deſireth an Act of Oblivion be paſſed, to extend to all and every of his Party for all things done ſince the beginning of the Year*, 1641.

3. *They deſire that General* O Neale *be provided for a competent Command in the Army befitting his worth, place, and quality.*

4. *They deſire that they may enjoy all thoſe Lands that were in their poſſeſſion at the beginning of this War for themſelves and Heirs during their fidelity to the Intereſt of* England.

5. *That all incapacity, inhability, and diſtruſt hitherto by Act of State or otherwiſe, againſt the ſaid Party, be taken off.*

6. *That on both ſides all Jealouſies, hate and averſion be laid aſide; unity, love, and amity, renewed and practiſed between both Parties.*

7. *That Gen.* O Neale *may be reſtored and put in poſſeſſion of his Anceſtors Eſtate, or ſome other Eſtate equivalent to it, in regard of his merit, and the good Service that he ſhall perform in the Parliament of* Englands *Service in the preſervation of their Intereſt in this Kingdom.*

8. *That the Army belonging to the Gen.* O Neale *and his Party be provided for in all points as the reſt of the Army ſhall be.*

9. *That the ſaid Party be provided with, and poſſeſſed of a convenient Sea-port in the Province of* Ulſter.

And

See the Date in *The true state of Transactions, &c.* It seems to be 8. *May*, 1649.

And I do, upon receiving a Confirmation of those Desires, undertake and promise in the behalf of my self and the whole Party under my Command, faithfully and firmly to adhere to the Parliament of *Englands* Service in this Kingdom, and to maintain their Interest hereafter with the hazard of our Lives and Estates against all Opposers whatsoever.

Given under my Hand and Seal.

In the said Paper, printed at *Corke*, is also contained. [*A Letter from a Gentleman in* Dundalke, *dated* May 20. 1649. which take here *verbatim*; that you may see what opinion Men there (u on the place) had of that business.

To my worthy Friend, at *Corke* in *Munster.*

SIR,

YOu may wonder, my Obligations being so great towards you, that my returns of acknowledgment should be so seldom as they have been, but you must know there is no defect in my desires to be at your eares often; 'tis only the preservation of my Liberty and Safety in these parts that makes me forbear the frequencie of such intercourses. I am confident these Letters, this Messenger, and the inclosed papers which I here send you (containing a true Copie of the Propositions and Letters of Agreement between Owen Roe O Neale, *and Colonel* George Monck) *will be able to give you some account of the passages in these parts, and will make you assured that I do not forget the respects I owe unto you.*

I must confess to you that (as you ever conceived) I never could imagine that the Parliament proceedings would have advanced to so high a degree of rage and wickedness as I see now they are come to, and are resolved to act by: but being amazed at the KING'S *Murther, and seeing the Gangrene doth so cruelly spread, I will impart to you my resolution*

resolution, That I am resolved to get into your parts with the first conveniency, and adhere to you there, whose actions are more conducing to the preservation of our Religion, Law, and common Interest, then any where else that I can find. But that this my so sudden resolution may not be conceived the fruit of some vain fear, miscarriage in my self, or light desires to abandon my former principles, I shall give you a right understanding of all the motions and passages of my soul, since I was acquainted with this late Treaty between Col. Monck, *and* Owen Roe O Neal, *that thereby you may judge of the ground of these my Designs and distastes, and my resolutions taken thereupon.*

And before I consider the particulars of the Treaty, the thing it self is so odious to me, that if they could have made the best bargain to be imagined for the English Safety, the manner of it would have appeared to me very unsavoury.

For although it cannot be denied that almost the whole Irish Party (in regard of their Confederacies and Combinations) have not been innocent in all particulars of that vast Ocean of English Blood that hath been shed; yet it is most clear, that the Plotters and Contrivers of this Treason, and the unnaturall and butcherly Executioners thereof are that Party principally with are now Headed by Owen O Neal; *for, although many of the pale, with others of* Conaught, Leinster, *and* Munster, *entertained the Designe, when they saw it was so far spread, and the English so much weakned in their persons and possessions, yet it cannot be denied but this Kingdom had still many moderate-minded Men that loathed their Countrymens barbarity, and could never be drawn to adhere to their Party in their least consent.*

Now for the Parliament Agents to gather up these Men

(and

(and theſe onely) that have been drunk with the blood of their Brethren, and to fortifie them with Arms, Councels, and conjunction of Forces, that thereby they may preſerve to themſelves the Triumphs of their Cruelty and Treachery, and to lap them up in their affections with promiſes of reward, if they will perſevere to act with them the ruine of the KING and Monarchy, the deſtruction of the remnant of the Engliſh Proteſtants, and the ancient Iriſh who have now declared their Loyalty, and ſubmitted to, and conſociated with them, are things that I much loath, and can no way embrace.

Beſides, if you conſider the paſſages of the Treaty, you will eaſily be drawn (I ſuppoſe) to caſt away your former entertained ſcruples, and not condemn me for being out of love with mine.

1. *For firſt, The Title to* Owen Roes *Propoſitions excludes all other of his Nation but ſuch as will joyn with him, though they be far more capable of peace and pardon then himſelf or his party.*

2. *He and his party, who in a late paper of theirs ſtyled the Parliament of England,* Monſtroſum Parliamentum, *(the monſtrous Parliament) when (as then) it had not not beſmeared it ſelf with Royal, Sacred, and Noble Blood, as ſince it hath done: yet now where he ſees them act like himſelf, he hath taught his tongue to quaver, and calls them,* The moſt Honourable and Potent Parliament; *when all Honour is perſecuted by them, and no power exerciſed by them but brutiſh violence, and extream tyranny.*

2. *In the ſecond Propoſition: That an Act of Oblivion be paſſed to extend to all and every of* Owen O Neales *party for all things done ſince the Year* 1641. *You ſhall find that* Monck *approves of it totally, without the leaſt reſerve of puniſhment to any the moſt bloody plotters and*

mur-

Murtherers whatsoever that are in that Crew, which makes me more in love with my Lord of Ormonds *peace than I was before.*

4. *It is propounded by* Owen Roe, *and approved by* Monck, *That he shall have a Sea-port to himself, to make use of, for the perfecting of his designs, when (as we hear) the least Traffick will not be allowed to you in* Munster.

5. *Although Col.* Monck *do a little pare his Propositions concerning the Repealing of Statutes against Roman Catholicks since* Hen. 8. *left he should offend the People: And though he do not absolutely undertake to grant him his Ancestors Lands, (which when he is once styled* O Neale, *he will challenge to be the six escheated Counties) yet by* Monkes *Letter he is assured, that he shall not receive the least disadvantage thereby. All which directions, councels, and assurances (I am Confident) Col.* Monke *would not have used towards him, if he had not had a Parliament foundation to warrant it.*

Thus you see these Men who lately were utter Enemies, have confederated together to ruine Monarchy, and the Protestant Religion, meerly to raise themselves, and support their own Faction. They will not here allow the King *to make use of his own subjects to revenge His Fathers blood, to Re-inthrone Himself, to re-establish Religion and the Laws, and the just Liberties and yet they allow themselves a latitude of calling in any party, though the most bloody and inhumane, to assist them, in the carrying on their wicked Designs.*

We have seen Col. Jones *his Letters, censuring the Lord of* Ormond *for joyning the* Irish *to his party (though the best and least culpable of them) and yet the same* Jones *(whose head and hand is in this Treaty and Conclusion) thinks it allowable in himself to close with the*

with, and that upon his own terms. And though Col. Monkes *hypocrisie (in correcting* Owen O Neales *7. Article) will not allow that unity and amity shall be publickly proclaimed between them; yet he is willing it shall be practised, and they shall mutually assist one another against all Opposers whatsoever, that is, the* King, *and all in Authority under Him.*

The consideration of these things hath left such an impression upon my soul, that I am resolved to make speed to you, no way desiring to live under their Commands, whose actions increase in horror, and beget new afflictions to all honest English hearts. So praying you to forbear further writing to me, because I mean speedily to see you, I rest

Dundalk, *May*, 20. 1649. Your assured Friend and Servant.

Upon which Propositions so corrected by *Monke*, and the close carriage of this business, I shall trouble my Reader with these following Observations.

1. *Article.* You see the Counterfeit, Alchymy Saints, are content to joyn covertly with Massacring Irish Papists, to carry on their Antimonarchical Designs, and to make a false Religion and corrupt worship of God the wages and hyre of righteousnesse.

2 *Article.* You see those Men that are so bloodily zealous to bring Protestant Delinquents (nay, the *King* himself, under the notion of *the Grand Delinquent, the Man of Blood*) to punishment, and pretend themselves engaged by Oath so to do; can dispense with the Massacre of *two hundred thousand* English Protestants barbarously and inhumanely slaughtered in *Ireland* in time of full peace; and can grant an Act of Oblivion to whole Armies of their Murderers, thereby at once making their Antimonarchical interest the price for which they sell the innocent blood of their Brethren, and defrauding the Irish Adventurers of that

that Money which the Parliament perſwaded them to lay forth to purchaſe Rebels Lands in *Ireland*, for which they have an Act of this Seſſions of Parliament.

The like may be ſaid of the 4. and 7. *Articles*, whereby Rebels attainted and convict are reſtored to their confiſcated Lands, and the Engliſh Proteſtant planters that purchaſed them of the Crown, are expelled out of their Inheritance; what is this but a deſign to root out Proteſtancy, as well as Monarchy?

5. *Article.* Taketh off all Incapacity, Inability, and diſtruſt from *O Neal* and his party at that very time when with much counterfeit zeal they pretend great ſeverity againſt the Engliſh Papiſts; I think becauſe they are not ſo very Rebels as the Schiſmaticks.

3. According to their uſual cuſtome, to accuſe other Men of their own Crimes, they charged King *CHARLES* the First, (upon light ſurmiſes) *with complying with the bloody Iriſh Papiſts*, and do themſelves actually combine with them to root out Monarchy and Proteſtancy, giving them a *Toleration of their Religion, and the poſſeſſion of the Engliſh Proteſtants Eſtates for their Hyre.*

4. And it now appears by Letters newly come to *London*, the 14. *Auguſt* (notwithſtanding the ſaid Votes of the Commons *againſt all aſſociation with the Iriſh Murderers*,) That *Sir* Charles Coote, *and* O Neal, *are aſſociated*; *and that the Siege from* Londondery *was raiſed by* O Neales *help*, which plainly proves, that the Treaty and Conjunction was not only between *Monck* and *O Neal*, but between *O Neal* and the Parliament, or Councel of State; and that the ſaid Propoſitions ſo altered by *Monck* are confirmed by the Parliament, or Councel of State; and do ſtill ſerve for a foundation for *O Neale* to aſſiſt the Parliament upon, who have turned out *O Neal* at the Fore-door (to gull the People) and taken him in again at the Back-door. See *the Perfect Occurrences*, nu 17. 138. from Aug. 17. to the 24. 1649. 206.

Many of K. *Olivers* Officers and Souldiers, abhorring the ſaid Aſſociation with *O Neale*, deſerted him at *Milford-haven* (as I have related) and came to *London*, whither they were purſued at the heels by a Letter from his Muſhrome Majeſty, directed to his Vice-Royes at *Weſtminſter*, *willing his Parliament (that ſince to encourage the ſouldiers to undertake the Iriſh expedion onely)* *Cromwell's* Souldiers deſert him at *Milford-haven*, and upon his complaint his Houſe of Commons vote their Debentures void.

their Accounts had been Audited, and Debentures granted for their Arrears) they should recall and null their said Debentures : In obedience to which Command, a thing like an Act of Parliament is drawn up, and order taken that the Commissioners that attend *Cromwel* into *Ireland* should certifie the Names of them all to the Parliament, that they may be punished in purse, for not prostituting their Consciences, and shedding more innocent blood, with an implicite faith and blind obedience to K. *Olivers* unquestionable commands, in maintenance of usurpation and lawlesse tyranny. The rest of the Army may see, by this precedent, they may as well hope to recover a damned Soul out of Hell, as their Arrears out of this bottomlesse Gulph, the New State; (notwithstanding all their fair promises, Orders, weather-cock Acts, and debentures, which are all written in waste-paper, and as changeable as Tickets and Securities for the Publick Faith.) It being their constant resolution and best policy to feed them (from time to time) with vain hopes, and a little spending-money (for which they are never the better) now a bit of money, and then a bob of Martial Law; and alwaies to promise, never to pay their Arrears, thereby to keep them together from Disbanding, and going to their own homes and callings ; whilst the Councel of Officers (who only are accounted the rational part of the Army) receive duly the hire of unrighteousnesse, and whatsoever else they can shark from the private Souldiers (who are looked upon but as the Brutish part of the army) in whom it is become a capital Crime to question whether their Superiors deal justly with them or no? as is proved to *Lockyer*. The Common Souldiers, as well as the Common People, paying for the Ryot of their Colonels, and superior Officers (who Lord it in their guilt Coaches, rich Apparel, costly Feastings (though some of them led Dray-horses, wore Leather-pelts, and were never able to name their own fathers or mothers) I, and for the Lands they purchase too ; yet the Officers have one device more to keep the Souldiers together, which is, They make them believe they are so genarally hated, they cannot with safety Disband and go home ; whereas it is the Superiours onely that are looked upon with hatred as the authors of Tyranny and Oppression : The Private Souldiers being esteemed but their Instruments, and such

as

as (in their kind and way) are ſufferers under the hand of oppreſſion as well as other men; many Souldiers have been purged out of the army; others have voluntarily quitted the army and returned to their callings, without being endangered or injured after their retirement, which ſhewes this objection is but a Scar-crow.

207 A League Defenſive & offenſive concluded between *O Neale* and Sir *Charles Coote* Governour of *Connaught* for the Parliament: See the laſt Section ſave one.

For the clear manifeſtation of the aſſociation between *O Neale* and the Parliament, there are lately come to the Counſel of State two Letters out of *Connaught* from Sir *Charles Coote*; one Dated the 14. the other the 15. of *Auguſt*, 1649. informing them with how much zeal to the Parliaments Intereſt *Owen O Neal* had freely raiſed the Siege of *London-derry*. Upon which Letters, and the Votes and proceed of Col. *Pride*'s Parliament thereupon, I ſhall commend to my Readers obſervation theſe following particulars:

1. The 15. *Auguſt*, Letters inform, *that* O Neale *freely offered his aſſiſtance to* Coote, *profeſſing much affection to the Parliament of* England, *and an earneſt deſire to maintain their Intereſt, &c.* (which is, his own Intereſt) you may remember that this bloody Rebel *O Neale* heretofore (when the Parliament was not half ſo corrupt as now) ſtiled it, *Monſtroſum Parliamentum*, the Parliament of Monſters: but now that he ſees them act his way, and concur with him to deſtroy Monarchy and Proteſtancy, he ſtiles them, *The Honourable Parliament*, aids, and affects them.

2. The 14. *Auguſt* Sir *Charles Coote* informes, *that he hath found* O Neale *and his Army very punctual and faithfull in all their Promiſes and Engagements, and he makes no doubt but they will continue ſo until the end, &c.* The reaſon is, becauſe they aim all at one end and intereſt: Subverſion of Monarchy and Proteſtancy, and go one way to effect it, by a Conjunction of Forces and Councels.

3. The 16. *Auguſt*, *that* O Neale *in his Expreſs to* Coote *incloſed ſome Letters he had received from* Monke; *and amongſt the reſt, a Copie of a Letter from* Monck *in Anſwer to a Letter of the Lord* Inchiquine, *charging* Monck *with joyning with* O Neale *and his Party; wherein* Monck *inſinuating, as if* Oneale's *ſubmiſſion to uſe the Parliaments Power, were already accepted by them, &c.* Monck needed not inſinuate it, but might have ſpoken it plain-

ly: as he hath done to ſundry of his Friends in *England*, who reprehended him for joyning with *O Neale*, to whom he Anſwered, *That he had the Authority of his Superiors to warrant his doings therein:* But this was before he went to *Milford-haven* to *Cromwel*, who then taught him the art of Cromwellizing to carry on their deſign.

Why did they cry out upon King *Charles* I. upon a ſurmiſe that He uſed the help of the more innocent *Iriſh* Papiſts, being His own Subjects under His Allegiance and Protection? but we find the Godly are above all laws.

4. The 15. *Auguſt*, *Coote's* Letter (to juſtifie his doings) delivers a piece of Doctrine to the Councel of State, the Uſe whereof they were very perfect in before, *viz. Calling to mind that it is no new thing, for the moſt wiſe God, to make uſe of wicked Inſtruments to bring about a good Deſign, for the advancement of his glory, &c.* This Caſuiſt in Buff had forgotten, That we muſt not do evil that good may come thereof; and that both the juſt and the unjuſt, the righteous and the unrighteous man being all of Gods Creation and making, he hath the ſame prerogative over them all *jure creationis*, that a Potter hath over his pots, he may uſe them, and doe with them what ſeemeth beſt to his moſt holy will: and it is therefore good, holy, juſt; becauſe he willeth it. His Divine pleaſure being the rule and Standard of goodneſſe, holineſſe, juſtice. Miſtake me not; I do not mean his bare providence, or permiſſive will, which no man can take notice of, and Traytors, Tyrants, Thieves, and Reprobate Saints execute, and boaſt of, to their own aſſured damnation. Therefore Gods imploying wicked Inſtruments can be no preſident for our Alchimy Saints to do the like; unleſſe *Cromwels* three Juntoes and Faction will uſurp Gods prerogative, as they have done the Kings.

* Councel Officers, of State, and Parliament.

5. The 15. *Auguſt*, the Letter ſaith, *that* Coote *called a Councel of War and reſolved, It was better to accept of the aſſiſtance of thoſe who proclaimed themſelves Friends to us, and the Intereſt we fight for, &c.* Here you ſee *O Neals* bloody Party and thoſe Parliament Champions united, and friendly conſpiring to uphold one Common Intereſt, which can be nothing but the downfal of Monarchy and Proteſtancy.

6. The 15. *Auguſt* the Letter further ſaith, *that we* (*Coote* and his Councel of War) *added to the Article this wary Proviſo, not to uſe their aſſiſtance longer than the approbation of the State of* England *ſhould goe along with us therein, &c.* It ſhould ſeem by this

this warinesse, that for the time they had used their help (which was ever since the 22. of *May* last) the approbation of the said State (as they call it) hath gone along therewith. And for the time they mean to use their assistance hereafter, it is left indefinite; (no longer than the approbation of the State shall goe along with us therein) which may happily be until Dooms-day: notwithstanding the Order, Dated the 24. *August*, 1649. voting *That their Vote of the* 10. August, *in the Case of Col.* Monck, *be communicated to Sir* Charles Coote, *as the resolutin of the House, &c.* For, who knows whether the Copies of that Vote may miscarry, or be stayed by the way either accidentally or purposely?

7. The 14. *August*, the Letter saith, O Neale *was pleased to communicate to him certain Proposals, which* (he saith) *were long since transmitted into* England *to the Parliament, by Col.* Monck, *and though for his own part and the prime Officers with him*, (these are privy to the secret carriage of the businesse, and therefore may well be satisfied with what is done already) *they do not doubt but the Proposals are already yielded to by the State; yet in regard their Army and party in all other parts of the Kingdom* (these are ignorant of the juggle, and causes thereof) *cannot be satisfied therewith, until the Parliament be pleased to declare themselves more publiquely therein* (it should seem they have done it privately already for satisfaction of *O Neale* and his said prime Officers) *he hath therefore desired me humbly to intreat your Lordships to declare your resolutions therein, with as much speed as may be.* Here you see *O Neale* and his prime Officers (who know the juggle) satisfied already with a private confirmation of the Articles. But to satisfie the rest of his Army and party (to whom this mystery is not yet revealed) a publick Declaration thereof is desired, *that they may unanimously and cheerfully endeavour the preservation of the Parliaments Interest.*

See *Monk's* Letter of Answer to *O Neale*, Dated 26. *April*, 1649. from *Dundalk*, contained in the last foregoing Section but one: See the said Paper, entituled, [*The Propositions of* Owen Roe O Neale, *sent to Col.* Monck,] *&c.* Printed at *Cork*, 1649.

The Articles of Agreement between *O Neale* and *Coote* conclude clearly a League or War Offensive and Defensive against the Enemies of both, or either, until a more absolute Agreement be made and condescended unto by the Parliament of *England.* This more absolute Agreement is now in agitation, and private Directions sent to *Coot* how to behave himself in the Transaction thereof. See the 1 Vote, *die Veneris*, 24. *Aug.* 1649. See the

the Relation of the Transactions between Sir *Charles Coote* and *Owen Roe O Neal*, printed by Order 28. *Aug.* 1649.

The Votes upon these Letters and Articles were two: Upon part, in the first Vote I have observed something already in the 6. branch of this Section (*viz.*) *that their Votes of the* 10. Aug. *in Case of Col.* Monck *be communicated to* Coote; *and a Direction for him how to behave himself in the Transaction between him and* Owen Roe O Neale; this Transaction is called in the Articles (*ut supra*) *a mere absolute agreement.* These Letters, Articles, and Votes being Apologetically published for satisfaction of the Souldiery and People, it had been fit to have communicated the said Directions also to the Trustors and Soveraign Lords the people, that they might have seen fair play above board, and not to have sent clandestine Directions to *Coote* (in so suspitious a businesse) how to behave himself in the Transaction with *O Neal*; which implies the said Transaction shall be continued and may be compleated; the rather for that their second Vote saith, *The House is well satisfied of the diligence, faithfulnesse, and integrity of Sir* Charles Coote *in preserving the Garrison of* London-derry: now it was preserved by his said Conjunction with *O Neale*, who raised the siege.

1648. The Levellers vindicated: or, The Case of the twelve Troops, &c.

About this time came forth a Book, called [*The Levellers vindicated: or, The Case of the* 12. *Troops which (by Treachery in a Treaty) were lately surprized at* Burford: *Subscribed by Six Officers in the name of many more.*] Wherein (p. 2.) they say, *That under colour of the Armies solemn Engagement at* New-market *and* Triplo-heath, June 5. 1647. *and many other their Declarations, Promises, and protestants in pursuance thereof* (which Engagement they affirm (against their Preaching Coronet *Denne*) was never retracted by any General Councel of the army, nor upon any petition of the Souldiers, nor their Agitators ever by them recalled or dismissed) *The whole Fabrick of this Commonwealth is fallen into the grossest and vilest Tyranny that ever English men groaned under, all their Laws, Rights, Lives, Liberties and properties wholly subdued to the boundless wills of some deceitful Persons, having devolved the whole Magistracy of* England *into their Martial Domination, &c.*

Pag. 7. They say, *That the Souldiers Paper-Debentures are good for*

for nothing but to ſell to Parliament men for 3*s. or* 4*s. in the pound.* (which they are forced to ſell them for to keep them from ſtarving, becauſe they will not pay one penny Arrears to ſuch as they put out of the Army any otherwaies) that ſo they may rob the Souldiers of their ſeven years ſervice, and make themſelves and their Adherents Purchaſers of the Kings Lands, for little or nothing: and (for ought appears) the Money they buy theſe Debenters with, is the Money the Nation can have no Account of. That they have dealt as baſely with other Souldiers who never reſiſted their Commands. 1 They turned them off with only two months pay. 2. They have taken away three parts of their Arrears for Free-quarter, without ſatisfaction to the Country. And at laſt force them to ſell their Debentures at the aforeſaid rates, that thoſe Souldies that are continued in Arms ſhall fare no better, when they have ſerved their turns with them.

Pag. 10. they ſay, *Their Engagement againſt the King was not out of any Perſonal enmity, but ſimply againſt his Oppreſſions and Tyranny on the people; but the uſe and advantage on all the ſucceſs God hath been pleaſed to give us, is perverted to that end, that by his removal the ruling Sword-men might intrude into his Throne, ſet up a Martial Monarchy, more cruel, arbitrary, and tyrannical, than* England *ever taſted of, and that under the notion of a Free-State, when as the people had no ſhare at all in the conſtitution thereof, but by the treachery and falſeneſs of the Lievtenant General* Cromwell, *and his Son in Law* Ireton, *with their faction, was enforced & obtruded by meer Conqueſt on the people.* And a little after, *now rather than to be thus vaſſalized, thus trampled and trod under foot by ſuch as over our backs have ſtepped into the Chair of this hateful Kingſhip over us in deſpight of the conſent, choice, and allowance of the Free-people of this Land, the true fountain and original of all juſt Power* (as their Votes againſt Kingly Government confeſs) *we will chuſe ſubjection to the* Prince, *chuſing rather ten thouſand times to be his Slaves than theirs, &c.*

Pag. 11. They Vote and Declare, *The People the Supreme Power, the Original of all juſt Authority, pretend the promotion of the Agreement of the people; ſtile this, The firſt year of* Englands *Freedom; entitle the Goverument, A Free State; and yet none more bloody violent and perverſe Enemies thereto; for, not under pains of death*

and confiscation of Lands and Goods, may any man challenge or promote those Rights of the Nation, so lately pretended by themselves. nothing but their boundless, lawless wills, their naked Swords, Armies, Arms is now Law in England, *&c.*

209. Col. *Morris* Governour of *Pontefract* for the King, Endicted at the Assizes at *York*, condemned and executed.

16. *August*, 1649. Col. *Morrice* (who kept *Pontefract Castle* for the *King*) was Endicted before Judge *Thorp* and *Pulleston* at *Yorke* Assizes upon the *Stat.* 25 *Edw.* 3. *for leavying War against the late King and Parliament.* The Collonel challenged one *Brook* (Foreman of the Jury) for being his professed Enemy, but the Court (knowing *Brook* to be the principal Veib, the Key of their work) answered, *Morrice*, He spake too late, *Brooks* was sworn already. *Brook* being asked the Question, whether hee were sworn or no: replied, he had not yet kissed the Book. The Court answered, It was no matter, that was but a Ceremony, alleadging he was recorded Sworn, there was no speaking against a Record; Sure they made great haste to record him sworn before he could kisse the Book; so *Brook* was kept in upon this cavil, by whose obstinacy, *Morrice* was condemned. I cannot wonder that legal Forms and Ceremonies are laid by (although justice cannot subsist without those Legalities to ascertain her proceedings, which otherwaies would be left at large to the discretion of the Judge) when I see our known Laws, *Magna Charta, the Petition of Right.* 3. *Carol.* and the rest, with the fundamental Government of this Nation pulled up by the roots to carry on their Designs of enslaving the people to their lusts, notwithstanding the Parliaments Declarations, Remonstrances, Protestations, Covenants, and Oaths to the contrary, and their late Vote in the Act for Abolishing Kingly Government. That in all things concerning the Lives, Liberties, Properties and Estates of the People, they would observe the known Laws of the Land. But to return to our Relation: Then *Morrice* challenged 16. more of the Jury, where *Pulleston* was so pettish, that he bad *Morrice* keep his compasse, or else he would give him such a blow as should strike off his head. Until *Morrice* cited the *Stat.* 14 *Hen.* 7. *fol.* 19. whereby he might challenge 35. men without shewing cause: Here you see the Judges (which ought to be of Councel with the prisoner in matter of Law) endeavouring to out-face, and blind the prisoner with ignorance

of

of the Law, being a Martial-man. Then he desired a Copy of his *Endictment*, that he might know what to answer, saying, he might plead Special as well as General, which the Court denied him. Next because there was point of Law in it, he desired to have Councel, citing the *Stat.* 1 *Hen.*7.*fol.* 23. which was likewise denied him; yet (I am deceived, if *Rolfe* had not Councel allowed him, being endicted at *Wincheſter* for *an endeavour to murder* King *CHARLES the Firſt*) and had many other favours, denied to *Morrice*. Then Col. *Morrice* for his diſcharge produced the *PRINCES* Commiſſion as *Generalliſſimo* to the *KING* his Father. The Judges anſwered, The Prince was but a Subject as *Morrice* was, and if he were preſent muſt be tried as he was, and rejected the Commiſſion without reading: *Morrice* told them, the Prince had his authority from the King, in whoſe name all Judges and Officers did then Act. The court anſwered, the power was not in the King, but the Kingdome. Obſerve, they indicted him for Leavying War againſt the King, and Parliament. The word [*Parliament*] was a ſurpluſage; for which no Indictment could lye: no Allegiance, no Treaſon; and we owe Allegiance to the King alone; whoſoever Leavieth War in *England* (in the intendment of the Law) is ſaid to Leavy War againſt the King onely; although he aim not at his Perſon, but at ſome other Perſon: And if he that Leavieth War againſt the King, his Crown, and Dignity, be a Traytor; how much more muſt they be Traytors that have actually murthered the King, and Diſ-inherited and proſcribed his lawfull and undoubted Heir; and (as much as in them lies) have ſubverted the Monarchical Government of the Land, and conſequently all Monarchical Laws; whereof the *Stat.* of *Treaſons* for Leavying War againſt the Kings Majeſty is one; and therefore *Morrice* under a Free-State ought not to be condemned or tried upon any Monarchical Law. So *Morrice* was found guilty by a Jury for that purpoſe. And an illegal preſident begun to cut-off whom the Faction pleaſeth, under a pretence and form of Law, without help of a Councel of War, or a private Slaughter-houſe, or a midnight-Coach guarged with Souldiers to *Tyborne*. Theſe Uſurpers have got the old tyrannical trick, *To rule the People by the Laws, but firſt to over-rule the Laws by*

their Lawyers; and therefore, *Vt rei innocentes pereant, sint nocentes judices*; that true men may go to the Gallows, Thieves must sit on the bench; but, *silent Leges inter arma*; and now, *silet Justitia inter Leges, silet Jus inter Judices*: The mungrel, hypocritical, three-headed conquest we live under hath dispoyled Justice of her ballance, and left her in a Military posture, with a Sword to strike, but no scales to weigh withall: Our licensed News Books (like Ill-Boding-Birds) fore-told and fore-judged *Morrice's* death a month before, *He died resolutely.* Observe the thing aimed at in this new form of Endictment of High Treason, for leavying War against the King and Parliament, is, first that the word [*King*] may hold in the Endictment, which otherwise would be found to have errour in it; and though the word [*for Leavying War against the Parliament*] be a vain surplusage, signifying nothing; yet at last (by help of their own Judges, and new-made presidents) to leavy War against the Parliament, shall stand alone, be the onely Significator, and take up the whole room in the Endictment, and thrust the word [*King*] out of doors; and then *Treason* shall be as frequent as *Malignancy* is now. *Morrice* had moved, he might be *Tried* like a Souldier by a councel of War, alleadging the inconvenience of such a president if the Kings Party should retaliate it, which would not be granted; yet Col. *Bethel* writ to the General, and his Councel of War, desiring he might be reprieved: but Col. *Pride* opposed it, urging, *That it would not stand with the justice of the Army* (you see now who is the fountain of Justice) *nor the safety of the Commonwealth, to let such Enemies live, the Parliament having adjudged him worthy of death,* (without hearing) *and given instructions to the Judges accordingly.* (O serviceable Judges!) so the General was overborn by this Drayman. This fellow sitteth frequently at the sessions house in the *Old Bayly*, where the weight of his Slings turneth the scale of Justice which way he pleaseth.

Three headed consisting of,
1. Councel of War.
2. Councel of State.
3. Parliament.

210. Cap. *Plunkett* and the Marques of *Ormonds* brother voted to be Tryed.

Col. *Pride's* Dray-horses, the Commons in Parliament assembled, not yet satisfied with Blood, because they are out of danger of bleeding themselves, have voted that Capt. *Plunkett* and the Marques of *Ormond's* Brother (Prisoners in *Ireland*) shall be brought to *Trial*. If the Kings Party (in imitation of their Cruelty)

Cruely) shall put to death the Prisoners they have taken, the Parliament will save their Arreares for their own privy purse: *These two cases, are examples of the greatest danger, and the highest contempt of Souldiers that ever were set on foot in any Age or Nation.*

211. An out-cry of the young men and apprentrices of *London* concurring with those falsly called Levellers.

29. *August*, 1649. came forth a Book, called, [*An out-cry of the yong Men and apprentises of* London. *Or, An Inquisition after the lost fundamental Laws and Liberties of* England.] truly and Pathetically setting forth the slavery, misery, and danger of the Common Souldiery and People of this Nation, and the causes thereof: well worth the reading.

212. Excise.

About this time came forth an Act (forsooth) for the speedy raising and levying money upon the Excise: that is, (as the Act telleth you) upon all and every Commodities, Merchandizes, Manufactures, as well imported or exported as made or growing, and put to sale or consumed, &c. That is, to lay impositions upon all we eat, drink, wear, or use, as well in private houses as victualling houses, ware-houses, cellars, shops, &c. as well what the Souldier devours in Free-quarter upon us, as otherwise, under unheard-of penalties, both pecuniary and personal to be paid, and levied with rigour. And to make every mans house lie open to be searched by every prowling Rascal as often as he or they please.

213. Forrain Plantations.

The Traytors, Tyrants, and *Thieves*, the commons in Colonel *Prides* Parliament assembled, are now again frighted into a consideration of Forraign Plantations: And passing Acts, *That they shall all be subject to the new* Babel, *or State of* England: for which purpose they are very busie to undermine, divide, and subject the old and first Planters, that (if need be) these reprobate Saints may come in upon their labours, and the better to accommodate themselves there. In the Act for the sale of Kings, Queens and Princes Personal Estate, they have given leave to their Agents the Commissioners to transport beyond sea (that is to say, to their own Plantations) (under pretence of sale) the rarest and choisest of the Kings Goods; they heap up abundance of wealth by Excise, Taxes, Goldsmiths-hall, Haberdashers-hall, Sequestrations, cozening the Souldiers, &c. That they may transport the whole wealth of the Land with them, and leave *Eng-*

land naked, disarmed and oppressed with famine, and disabled to pursue them for revenge, or recovery of their losses.

214. More gifts to the Faction.

The said Commons are never wearied with exercising their bounty amongst their own Faction out of the publique purse, about 1300l. to Col. *Fielder*: to *Scobell* their Clerk (heretofore a poor under-Clerk in the Chancery, who writ for 2d. a sheet) besides an imployment he hath already in the sale of publique Lands worth 1000l. a year) a Pension of 500 a year; and a Noble Fee for every Copy of an Order taken forth, *toties quoties*; although most of their Orders contain not above three or four lines; an extortion far surmounting the Star-Chamber, or Councel-Table, of which themselves so much complained: the *Diurnal* tells you, *an Act was read for satisfying the sufferings of two Members, who have been in the late War damnified many thousands*: these (I conceive) to be *Tho*: *Jervys* and Mr. *Robert Wallop*; this satisfaction must be made out of the publique purse, which must be filled by *Taxes* again out of their private purses who have lost as well as they without satisfaction, or hopes of satisfaction, notwithstanding many Votes that all should be satisfied.

Numb. 319. from Monday Sept. 3. to Monday, Sept. 10.

215. *O. Cromwell* reduceth *Jones's* own Regiment and other Regiments in *Dublin*. Let Sir *G. Coote* and his Regiment in *London Derry* expect the like

O Cromwell hath reduced the Officers in Col. *Jones* his Regiment, and other *Dublin* Regiments, notwithstanding their valour and fidelitie shewn in raising the Siege of *Dublin*: you see he will trust none but his own immediate Creatures: this Faction casts out all other men, as Quicksilver spues out all other mettals (Gold excepted) so that by this, and many other examples, they may see that all their faithfull services and bloodshed are poured into the bottomlesse tub of oblivion; as their Arrears are cast into the bottomlesse bagg of the Publique Faith.

216. A violent irruption of the Parl. Janisaries upon the Protestants at Church in St. *Peters-Pauls-wharf* Sunday morn. 9 *Sept.* 1649.

Sunday 9 *Sept.* 1649. At the Church of Saint *Peters Pauls-wharf*, Master *Williams* reading morning Service out of the Book of Common-prayer, and having prayed for the *KING*, as in that Liturgy (established by Act of Parliament) he is enjoyned: Six Souldiers from St. *Pauls* Church (where they quarter) came with Swords and Pistols cocked into the Church, commanding him to come down out of the Pulpit; which *Williams* immediately did, and went quietly with them into the Vestry:

when

when presently a party of Horse from St. *Pauls* rode into the said Church with Swords drawn and Pistols spanned, crying out, *Knock the Rogues on the Head, shoot them, kill them*; and presently shot at randome at the crowd of unarmed Men, Women, and Children, shot an old Woman into the head, wounded grievously above forty more, whereof many are likely to die, frighted Women with Child, and rifled and plundered away their cloaks, hats, and other spoils of the Ægyptians, and carried away the Minister to *White-hall* Prisoner. You see these Hereticks, Schismaticks, and Atheists, that cry so loud upon *Liberty of Conscience* for their own Blasphemies, will allow no Liberty of Conscience to Protestants, notwithstanding their Doctrine and Form of Service is ancient, allowed, and commanded by known Laws, and approved of by all the Reformed Churches of Christendom. This strongly argues a design in the three Kingdoms to root out Protestancy, as well as Monarchy, carried on by a conjunction of Councels and Forces between that Triumvirate of Rebels, *O Neal*, *O. Cromwell*, and (as many wise men think) *Argile*: who would not otherwise keep the Scots from complying with the *KING* upon modest and moderate terms, such as shall leave him in the condition of a Governing King, able to protect his people from injuries at home and abroad, without which he is but—*magni nominis umbra*, the shadow and May-game of a King. Observe, this provocation was put upon the City when an Artificial Mutiny was raised at *Oxford*; and against the Great Horse-race appointed to be at *Brackley*, the 11. *September*, to draw both City and Country to joyn with the Mutineers: and then the Souldiers should have made their peace by themselves, and have left the rest to the mercy of the State, to raise more money upon them for *O. Cromwells* expedition in *Ireland*, who writ for more Recruits of men and money.

This mutiny was not begun by Levellers.

Those bloody Saints that accompanied *O. Cromwell* into *Ireland* (to make that Kingdome as miserable and slavish as they have made this) doe now poure forth the blood of their own bowels in great abundance: Gods vengeance having visited most of them with the bloody flux; wherefore many die: But this is a secret that must not be known to the Ungodly, and therefore *O. Cromwell* and his Councel of War at *Dublin* have made an

217. *O. Cromwells* men sick in *Ireland*.

an Order, Declaring, *That if any Person residing within the Garrison of* Dublin, *whether Inhabitants or Souldiers, shall (upon pretence of writing to their Friends) signifie the Transactions of the Army* (between *O Neal* and *O Cromwell*, it may be) *or their Engagements with the Enemy, so as to set forth their Success, or Loss, until first the General or Councel of War have signified* (falsified *the same to his Parliament of* England) *they shall incur the breach of the Article against Spies, and be accordingly punished with Death, &c.* Here you see *O Cromwell*, in the first Year; nay in the first Moneth of his reign, sets up a military tyranny in *Ireland*, to which all People, as well not Souldiers as Souldiers, must submit their lives and fortunes, and the writing of news to their Friends of *England* (whereby their Lies and Forgeries may chance to be contradicted) shall be construed to be a Breach of the Article against Spies: not because Reason and Truth, or the Customs of War calls it so, but because the Sword puts this construction upon it. Take notice *Ireland* that this is the first year of thy Bondage if they prevail. And take notice *England*, that *O Cromwell* and his Councel and Party are resolved to Lie without controul if they prevail not; their Letters speak him to be 15000 strong before *Tredah*, which hath Articled to yield: That the next he will vouchsafe is *Dundalke*, and that *Ormond* flies from the face of this *Josua*; and lying Prophets are sent over to gull the people into a belief. But the truth is, he is not able to draw together above 4000 or 5000 men, unless his Confederate *O Neale* joyn with him: And *Ormond* hath wit enough to know that sickness and famine in that wasted Country, are sufficient to deal with *O Cromwel* without his running the hazard of an engagement with such desperate forlorn wretches.

218. Unreasonable Fees extorted by *Birkhead* by Dures of Imprisonment; with the connivance of the Commons.

Col. *Bromfield*, *Hooker*, *Cox*, and *Baynes*, Citizens, who the last year were committed upon suspition of High Treason (to which every offence against this new *Babel-state* is now wrested (notwithstanding the *Stat.* 25 *Edw.* 3. for limitation of Treasons) as in an infectious season all diseases turn to the plague) and were then discharged for want of matter to make good the Charge: are now again imprisoned (in the first year of *Englands* Liberty) at the request of *Birkhead* (Sergeant at Armes to the Commons) untill they pay such unreasonable Fees as he pleases

ses to exact from them: This had been great Extortion and Tyranny in the *KINGS* time, when this Nation enjoyed so much freedome as to call a Spade a Spade; an Extortioner, an Extortioner; and a Tyrant, a Tyrant. And reason good; for if such Fees be legally due, *Birkhead* hath Legal means to recover them; if not Legally due, it is Extortion in him to demand them in so violent a way; and Tyranny in his Masters the Commons to maintain him in it.

219. Sir *Hen. Mildmay*'s Politick Observations, Chaste Conversation, and first initiation at Court.

Sir *Henry Mildmay* lately coming to the Tower, and perceiving the Countess of *Carlisles* window had some prospect to Col. *Lilborns* Grates (out of his parasitical diligence) told the Lieutenant of the Tower, *That notwithstanding the distance was such as they could not communicate by speech, yet they might signifie their intention, by signs upon their fingers, to the prejudice of the tender infant State*; and accompanying this admonition with some grave and politick Nods, hasted away to the Councel of State, and (being both out of breath and sense) unloaded himself of his Observations there; and was seconded by *Tho. Scot* (the Demolisher of old Palaces, and Deflowrer of young Mayden-heads, before they are ripe) who much aggravated the danger, and applauded the Observator. Sure Sir *Henry* hath not yet forgot the bawdy Language of the hand and fingers; since he first, in Court began, to be Ambassadour of Love, Procuror, Pimp or Pandor to the Duke of *Buckingham*; and laboured to betray the honour of a fair Lady (his neerest Ally) to his Lust, had not she been as Vertuous as he is Vitious (if it be possible for any Woman to be so) and did actually betray others to him. I can tell you that very lately Sir *Harry* (pretending himself taken with the Wind-collick) got an opportunity to insinuate himself into a Citizens house in *Cheapside*, and tempted his Wife; but had a shameful repulse: but more of this I will not speak, lest his Wife beat him, and give an ill example to other Women, to the prejudice of our other New States-men, and their New erected *Sodomes* and *Spintries* at the Mulbury-garden at St. *James*.

220. Felons fetched out of *Newgate* to inform against Merchants for not paying Customes.

Master *Gybs* (Master of a Ship) having caused three fellows to be committed to *New-gate* upon Felony, for Robbing him: These Fellows sent to Col. *Harvey*, *That if he would procure their Liberty, they would discover to him several Merchants who had*

lately stolu Customes: Whereupon, *Harvey* sends for those Rogues out of *New-gate*, hears their Accusation, approves it, prosecutes the Merchants upon the Information of those Villains, discharges them of their Imprisonment by his own power, and recommends them to Col. *Deane* to be imployed in the Navy. And one Master *Lovel* a Silk-man in Saint *Lawrence-lane*, is committed to the *Gate-house* Prisoner, because he refuseth to swear how many Bayls of Silk he hath come over: If the first year of our Liberty make such presidents, what Monsters will the Sixth and Seventh year produce? All princes begin with moderation: The Elders gave good Counsel to *Rehoboam*, *Serve the People one day, and they will serve thee for ever hereafter. Nero* had a commendable *Quinquennium*; But our Novice Statists are Tyrants *ab incunabilis*; Oppressors with shels upon their heads, from the Nest, before they are fledge; what will they be hereafter?

221. *Sommer-hill* given to *Bradshaw*. A sop for *Cerberus*.

Sommer-hill, a pleasant Seat, worth 1000l. a year, belonging to the Earl of Saint *Albans*, is given by the *Junto* to their Blood-hound *Bradshaw*, so he hath warned the Countess of *Leicester* (who formerly had it in possession to raise a Debt of 3000l. pretended due to her from the said Earl, which she hath already raised four-fold) to quit the possession against our *Lady-day* next.

The Protestation and Declaration.

222. THe Premises considered, *I do hereby in the name and behalf of my self, and of all the Free people of* England, *Declare and Protest, That the General Councel of War, and Officers of the Army, by their said violent and treasonable force upon the far major, more honest and moderate part of the House of Commons (being above 250.) and leaving only fifty or sixty Schismaticks of their own engaged Party sitting and voting under their Command, and almost all of them such as have and do make a prey of the Commonwealth, to enrich themselves and their Faction, have broken, discontinued and waged War against this Parliament, and have forfeited their Com-*

Commissions. And the remaining Faction in the House of Commons by abetting, aying, and concurring with the said Councel of War, in the said rebellious Force, and by setting up new, illegal and arbitrary Courts of Judicature to Murther King CHARLES *the First, our lawfull King and Governour (who by his Writ (according to the Law) summoned and authorised this Parliament to meet, sit, and advise with him, and was the Fountain, Head, and conclusion, or summatory end of the Parliament, and Supreme Governour over all Persons, and in all Causes of this Kingdom) and by Abolishing the House of Peers and the Kingly Office, and Dis-inheriting the Kings Children, and Usurping to themselves the Supreme Authority and Legislative Power of this Nation, in order to make and establish themselves a Council of State, Hogen Mogens, or Lords States General, and translate the said Supreme Power, and Authority into the said Councel of State, and then Dissolve this Parliament, and perpetuate their said Tyranny and this Army, and Govern Arbitrarily by the Power of the Sword; and raise what illegal Taxes they please, and eat out, consume and destroy whosoever will not basely submit to their Domination: Have by the aforesaid ways and means totally subverted this Common-wealth, and destroyed the fundamental Laws, Authority and Government thereof, Dissolved and Abolished this, and all future Parliaments, so that there is now no visible, lawfull Authority left in* England, *but the Authority of King* CHARLES *the Second, who is actually* KING *of all his Dominions presently upon the Decease of the King his Father, before any Proclamation made, or Coronation solemnized, notwithstanding that by his unjust Banishment (caused by the interposition of the said traytorous, combined, Antimonarchical Faction) He be eclipsed for the present, and not suffered to perform any Acts of Government to his three Kingdoms, and restore Peace, Plenty, Justice, Mercy, Religion, Laws, and Liberties to them again, which no hand but his own can bestow; and therefore in vain do the people long for, and expect Figgs from Thistles, Grapes from Thorns, This Kingdome of the Brambles now set up, being onely able to scratch and Tear, not to protect and Govern them. I farther Declare and Protest, That this combined traytorous Faction, have forced an* Interregnum *and a* Justitium *upon us, an utter suspension of all Lawful Government, Magistracy, Laws and Judicatories; so that we have not* de jure, *any Laws in*

Principium & finis Parliamenti.

Oaths of Allegiance and Supremacy.

See 1. part. sect. 105, 106. and the Conclusions, 15, 16, 17, 18. and return to sect. 79, 109, 10.

Stat. of Recognition, 1 Jac. Oaths of Allegiance and Supremacy.

force to be executed, any Magistrates or Judges Lawfully constituted to execute them; any Court of Justice wherein they can be judicially executed, any such Instrument of the Law as a lawful Great Seal, nor any Authority in England that can lawfully Condemn and Execute a Thief, Murderer, or other Offender, without being themselves called Murtherers by the Law, all legal proceedings being now coram non Judice; nor can this remaining Faction in the House of Commons shew any one President, Law, Reason, or Authority whatsoever for their aforesaid doings, but onely their own tyrannical Votes, and the Swords of their Army: Wherefore I do further Declare and Protest before God and the World, That all Free-born Subjects of the Kingdoms of England and Ireland, are bound by the Stat. of Recognition, 1 Jac. and by all our Laws and Statutes, by their Oaths of Allegiance, Obedience and Supremacy, the Protestation and National Covenant, by very many Declarations, Remonstrances, Petitions, and Votes of this Parliament, and all Souldiers are engaged also by their own Declarations, Remonstrances, and Proposals, to defend, assert, and vindicate with their Lives and fortunes, the Person, Authority and Title of our aforesaid lawfull KING and Supreme Governour (the undoubted Heir of all His late Fathers Dominions) CHARLES the Second, by the Grace of God, King of Great Britain, France and Ireland, &c. against all Opposites and pretended Authorities whatsoever, unless they will be guilty of the foulest sins of Treasons, Rebellion, Perjury, and perfidiousness against their God, their King and Country; and of prostituting the Religion, Laws, and Liberties of the Land, their Wives, Children, and Estates to the lusts of an Armed Faction, usurping a far more Arbitrary and Tyrannical power over our Consciences, Persons, Liberties, and Estates, then ever was known in England before, or then is now used by the Russe, Turk, or Tartar, or any the most enslaving and lawless Tyrants under Heaven.

223. Compare the date of the K. Commissions with those of the Parliament, and their Declarations on both sides.

An Exhortatory Conclusion to the English Nation.

TO conclude, the series of Affairs and Action on both Parties (especially of late) rightly compared, it appeareth by the sequel, That King CHARLES the First, from the beginning

ginning took up defensive Armes to maintain Religion, Lawes, Liberties, and the ancient fundamental being of Parliaments and this Kingdom: and that there always was, and now especially is, a predominant Faction in Parliament (notwithstanding their frequent Declarations, Remonstrances, Petitions, Protestations, Covenant, and Votes to the contrary) conspiring with a Party (especially of Commissioned Officers of the Army) without the Houses to Change the fundamentall Lawes and Government of the Church and Common-wealth, to usurp into a few hands the Supream Authority, to enslave the People with an Olygarchical, Military, and Arbitrary Government, to raise what illegal Taxes they please to establish their tyranny and enrich themselves and their Party, to oppresse, consume, and devour all men of a judgement contrary to their interest; to Murder them by new-declared arbitrary Treasons, contrary to the *Stat.* 25. *Edw.* 3. for ascertaining Treasons; to Disfranchise them of their Birth-rights, and make them *Adscriptitios Glebæ*, Villains Regardant to their own Lands, which the Nobility, Gentry, and Yeomanry plough, sow and reap, whilst Brewers, Draymen, and Coblers, eat, drink, and play upon the sweat of their labours; and are the Usufructuaries of their Estates. All which they have lately brought to pass; wherefore let all true Englishmen (as becomes good Christians, good Patriots, and gallant men) claim their Birth-rights, and with one voice cry out,

1. *We will not Change our Ancient, setled and well approved Lawes to which we are Sworn.*

2. *We will not Change our Ancient and well-tempered Monarchy to which we are Sworn.*

3. *We will not Change our Religion for New Lights and Inventions.*

4. *We will not subject our selves to an eighth part of one Estate or House of Parliament, sitting under a force, and having expelled two hundred and fifty of their Fellows (more Righteous then themselves) by force, and usurping to themselves the Supreme Authority.*

5. *We will not be subjected to a new Supreme Authority usurped by forty ambitious, covetous Tyrants, arrogating to themselves to be a Councel of State, and designed to supply the room of Parliaments, under what name or Title soever they mask themselves.*

6. *We will not submit our selves to a Military Government, or Councel of Officers.*

See the Stat. of Recognition, 1 Jac. and the Oaths of Allegiance, Obedience, and Supremacy.

7. *We must and will have* A KING, *and* The KING *whom the Laws of God and this Land have Designed to us, we being by the Oaths of Allegiance, Obedience, and Supremacy sworn to bear Faith and true Allegiance to King* CHARLES *the First his lawful Heirs and Successors.*

Hic telum infigam, moriarque in vulnere——

Postscript.

1. READER, at the latter end of my First part of *The History of Independency*, I have presented to thy consideration, some General Conclusions arising out of the Premises; the same Conclusions do as naturally arise out of the Premises of this Second part of the History: and doe as aptly serve to illustrate this Second, as that First part; wherefore to that First part I send thee for opening thy understanding.

2. When our old Laws run again into their Ancient Channcel, and the Sword of Murder is sheathed, and the Sword of Justice drawn; the Author engageth to publish his Name and Apologie, and shew what he hath done and suffered for the Parliament and Kingdome.

THE END.